[COMMITTEE PRINT]

100TH CONGRESS *1st Session*	HOUSE OF REPRESENTATIVES	CSCE 100-1-3

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

100TH CONGRESS

FIRST SESSION

THE VIENNA REVIEW MEETING OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE

COMPILATION OF SPEECHES

(JANUARY 27, 1987-APRIL 10, 1987)

Printed for the use of the
Commission on Security and Cooperation in Europe

U.S. GOVERNMENT PRINTING OFFICE
72-374 WASHINGTON : 1987

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

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On January 27, 1987, the 35 signatory nations to the Helsinki Final Act resumed discussions in Vienna of the third follow-up meeting of the Conference on Security and Cooperation in Europe.

During the eleven weeks that followed the opening of this second phase of the Conference, there has been a thorough exchange of views on the implementation of the provisions of the Helsinki Final Act and the Madrid Concluding Document, as well as discussions for the next phases of review of the Helsinki process. The second phase of the meeting lasting from January 27 through April 10, 1987, was devoted to a continuation of implementation review and an examination of new proposals.

The United States delegation to the Vienna Review Meeting has made significant contributions in detailing the human rights abuses of the Soviet Union and the Eastern bloc countries in their many speeches in both the plenary sessions and in various subsidiary working groups. We are pleased to provide you with a complete compilation of the U.S. delegation speeches presented during the second phase of the Conference.

We hope you find this information useful.

Sincerely yours,

Dennis De Concini
DENNIS DECONCINI
Co-Chairman

STENY H. HOYER
Chairman

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PLENARY STATEMENTS

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

January 27, 1987
Vienna, Austria

Mr. Chairman:

Over five weeks have passed since our last plenary meeting in Vienna. It is thus a good time to take stock, to record what has happened in the intervening period, and to assess its meaning for the obligations undertaken at Helsinki and Madrid.

I begin with a candid assertion: it is idle to assume that significant developments are not unfolding within the Soviet Union.

- First, we see a country which seems to be trying to come to grips with its past. It is reported that a Georgian film depicting the evils of Stalinism will soon be shown to the public. It is reported that Boris Pasternak's "Dr. Zhivago" will soon be published in one of the few countries in which it is banned: his own. And it is also reported that Pasternak's house - the house where that great novel was written and where Pasternak's friend Svyatoslav Rikhter played the piano from dusk till dawn in homage on the day he died - will soon be opened as a museum. We hope these reports become true, because they appear to represent an effort to return to the Soviet people a priceless gift: their own history.

- Second, the Soviet press describes what has heretofore seemed a contradiction in terms: the arrest of a KGB official for abuse of his official duties.

- Third, Soviet cultural authorities are coming to realize that the greatness of Russian culture does not stop at the border.

It is reported that the Kirov ballet star Mikhail Baryshnikov, currently in New York, and the former director of the innovative Taganka Theater Yuri Lyubimov, currently in Washington, have been or will be invited to perform again in the Soviet Union.

These examples make an important point - that the Soviet Union is a different place than it was two years ago. But how different? Is what we are seeing superficial or profound? Is it the reality, or just the appearance, of change? The answer is not obvious. The picture remains mixed. Based on events of the past five weeks, let me describe that picture as I see it today:

- In my statement at the end of the first round of the Vienna meeting, I expressed concern that Mustafa Dzhemilev, who had been convicted six times for his work on behalf of his fellow Crimean Tatars, would be re-sentenced. I am glad to note that Dzhemilev has since been released. But the fate of most other political prisoners in the Soviet Union remains the same. With the death of Anatoliy Marchenko, over 35 Helsinki Monitors remain incarcerated, some in serious physical condition. And yet these Monitors make up only a small percentage of the political prisoners in the Soviet Union. Other human rights monitors, such as those connected with the human rights journal "The Chronicle of Current Events" and those who fought for genuine trade union rights, are similarly imprisoned. Will another Marchenko die in detention? Will it be Anatoliy Koryagin, the courageous psychiatrist who spoke out against the abuses of psychiatry and has been weakened by hunger strikes? Will it be Josif Begun, a scientist who has already served nine years for his efforts to preserve the Jewish culture and the Hebrew language? Both are now confined to Chistopol Prison, where Marchenko died. All here have noted Andrei Sakharov's appeal for the release of all political prisoners in the Soviet Union, and we have also noted Ambassador Kashlev's hints to the New York Times that there might be a response. May it be soon, may it be all-inclusive, and may it be untrammelled by limits and restrictions which could vitiate its effect.

- In the period since this meeting recessed, the existence of a new Helsinki monitoring group in the Soviet Union has been confirmed. Calling itself "Helsinki 86," it was formed last summer in the city of Liepaja in Latvia and has appealed to Pope John Paul II, to General Secretary Gorbachev, to the Soviet and Latvian Communist Party Central Committees, to the United Nations, to the American delegates at the September 1986 Chatauqua Conference in Latvia, and to Latvian "countrymen in foreign lands." The signers of the letter to Mr. Gorbachev said, "We want to believe you that you will build a foundation for a democracy. Everyone will benefit from that, and there will not be any losers." Three of those signers have been reported arrested. The formation for the first time of an independent Latvian Helsinki Monitoring Group proves again the dictum of the British historian Lord Acton that "progress in the direction of organized and assured freedom is the characteristic fact of Modern History."

- In early January 50 Soviet emigrants were permitted by the Soviet authorities to return from the United States to the Soviet Union, many after several years of trying. It is understandable that the move from Soviet to American culture, cultures based on such different principles, could cause serious problems of adjustment. If, as the Soviet Foreign Ministry spokesman has said, there are a thousand more in the United States who desire to return, then we can only hope that the Soviet Union will abandon its former practice of treating them as pariahs and will permit them to exercise their right, guaranteed by the Final Act, to leave their country and return to it. After all, a few thousand emigrants desiring to return constitute less than 1 percent of the 400,000 who have left the Soviet Union in the last decade and a half. We must hope as well that the Soviet government will honor its obligations to allow foreign citizens in the Soviet Union to return to their countries -- Abe Stolar, for example, an American in his 70's who has been trying for decades to return his family from Moscow to the United States.

- On a related issue, I referred earlier in my remarks to efforts apparently underway to bring back to the Soviet Union cultural figures who had left it. Why not go further and respect their right to leave in the first place, and the right of others to leave as well? Last December, I cited the case of Vladimir Feltsman, a brilliant young pianist, whose application to emigrate seven years ago has cost him the right to perform his musical art in the Soviet Union. Last year, in a letter to General Secretary Gorbachev, Feltsman asked: "Why does the problem of leaving the Soviet Union exist at all? Why do the authorities regard people who, for one reason or another, want to leave the Soviet Union, as virtual traitors? Why can't citizens of the USSR leave their country and return to it without hindrance?" Why indeed?

- In the area of family reunification, there has been some progress. Of the American cases announced by Ambassador Kashlev in Bern, three-quarters have been resolved, although it remains a mystery why one-quarter of them are still unresolved after nine months. During the Vienna recess favorable decisions were made in several cases and hints were made about several more. So far the hints outnumber the decisions. We fail to see why the issues of divided spouses and blocked marriages cannot be settled once and for all. The numbers are not large, but the human cost is heavy. For example, Yuri Balovlenkov, whose wife lives in Baltimore, Maryland, has now been separated from her for eight years; he has never seen his younger child.

- Many in this room have appealed for Soviet action to enable several Soviet citizens suffering from cancer to seek treatment in the West. Fortunately, those appeals seem to have been heard. Of the five cancer victims frequently named, three have been allowed to leave and we understand that a fourth, Leah Maryasin, has exit permission. A fifth, Benjamin Charny, is in urgent need of help and - although he has a close relative, a brother, in the United States - he remains in the Soviet Union against his will.

- I will refer to one of those cases in particular, because it illustrates a disturbing paradox in Soviet conduct. Inna Meiman arrived in Washington eight days ago; she suffers from cancer of the spine, a condition whose extreme seriousness was confirmed last week by the Georgetown University Hospital. Unbelievably, Mrs. Meiman was not allowed to be accompanied by her son, Lev Kittroskiy and his family, or by her husband Naum Meiman. Naum Meiman is a 75-year old man, a retired mathematician and a former Helsinki Monitor. He has congestive heart failure and quite possibly suffers from cancer himself. He also has an American citizen daughter living in the United States, a fact that qualifies him for emigration even under the most restrictive interpretation of the new Soviet legislation. The reason given for his many visa denials is that he did classified work 30 years ago; for that "reason" an old, sick man is not permitted to join a suffering wife and a daughter in the United States. The Kafka-esque quality of this story can only make one wonder how much has really changed in the Soviet Union.

- The end of the year 1986 set a record of sorts in the field of Jewish emigration from the Soviet Union. Those allowed to emigrate numbered fewer than 1,000, under 100 a month - the lowest figure since accurate statistics have been kept. The new Soviet legislation, which took effect January 1, shows no sign of alleviating this crisis in emigration, and may even exacerbate it. The law is inherently restrictive, limiting the right to leave to those with close family abroad, and so far it seems to be being applied restrictively.

Applications for exit visas, which were previously at least accepted, are now being refused.

- Finally, in the area of information, the BBC Russian service has for the last few days reached the Soviet Union unjammed. We hope that this is the harbinger of a trend and that the Soviet Union will finally recognize the illegality of jamming by keeping the jammers off the BBC permanently, and taking them and keeping them off the Voice of America, Radio Liberty and Radio Free Europe, Deutsche Welle and the other stations prevented from reaching the Soviet people.

- A constant concern during our Vienna meeting has been the fate of the members of Charter 77 and of the Jazz Section in Czechoslovakia. Fortunately, in the past several weeks five members of the Jazz Section have been released from detention. Two, however, remain in prison and apparently some variety of trial awaits all seven. Thus Czechoslovakia's obligations under the Final Act remain squarely at issue in this sorrowful affair.

****

- In closing, let me return to the questions with which I began. We have heard predictions and promises from Soviet officials -- on a cultural Renaissance, on the release of political prisoners, on genuine openness. They seem to be telling us that Soviet society is at a turning point. But will it turn? The evidence is not conclusive.

We will know whether Soviet society will turn in a positive direction only when predictions become reality, when promises become performance, when gestures become practices, when episodes become patterns, when isolated steps become a long march.

Only then will we know.

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

February 10, 1987
Vienna, Austria

FREEDOM OF MOVEMENT

I had intended to speak today in support of two proposals which the United States is co-sponsoring: the proposal initiated by the European Community on a conference on the Human Dimension and the proposal introduced by Italy and Norway on freedom of conscience. Those tasks must now await another occasion.

I had also intended to introduce a proposal of major importance to the United States Government, and I will do so, though in a different way than I had planned. The proposal deals with the right of freedom of movement - the freedom of an individual to travel within his country, from his country, or back to his country. Nowhere is that theme better exemplified than by the life of Inna Meiman, who died last night.

Most of the delegates here have heard me speak of Inna before. She was an extraordinary friend to many people, a lover and an enhancer of life. She cared little about politics but a great deal about people. She had a sense of the irony and humor of life which only a truly happy person can have. Like Scaramouche in Sabbatini's novel, she was born with the gift of laughter and a sense that the world was mad. She was tenacious and courageous.

Inna was a refusenik, and four years ago she learned that she had cancer. She and her husband, Naum - an old, ill, retired mathematician and former Helsinki Monitor - redoubled their efforts for emigration so that Inna could be treated in the West. Finally last December, after four years of appeals from all over the world, Inna, but not Naum, received exit permission. She arrived in Washington, D. C. just three weeks ago. At the airport Inna made a characteristic statement. She thanked all the people in the United States, Canada, France, and other countries who had helped her. She said she would continue to fight for the emigration of her family - besides her husband, she had a son by her first marriage, who is also a refusenik - for other Soviet cancer sufferers like Benjamin Charny, and for all those who wanted to exercise their right to emigrate. She was in terrible pain but determined to be gallant.

Her dream of recovery was short-lived. Careful testing at Georgetown University Hospital revealed that the cancer had spread to her lungs. Inna remained undaunted and cheerful, enjoying the adventure of being in a new city and a different culture. Last night my wife telephoned Inna from Vienna. On the phone with my wife Inna seemed, as usual, cheerful but short of breath. Minutes later she died. The cause of her death was a blood clot formed by the cancerous tumor in her lungs.

The story of Inna Meiman and her family is a parable illustrating why - in the twelfth year of the Helsinki Final Act - we still need to raise cases such as this one here in Vienna and why we still need to put forward proposals on freedom of movement. Inna and her family are typical of many others.

- Why couldn't Inna Meiman have been allowed to seek medical treatment in the West when there was still a possibility that her life would be saved?

- Why can't Naum Meiman, who has an American citizen daughter living in the state of Colorado, be allowed to join her there? Even by the narrower restrictions in the new Soviet legislation, he qualifies for family reunification.

- And why can't people like Inna's son, Lev Kitrosskiy, even without a medical problem, or close family ties abroad, enjoy the unrestricted right of emigration guaranteed him by the Universal Declaration of Human Rights and the Helsinki Final Act?

We now have slightly over one month's experience with the new Soviet exit and entry regulations, about which we have heard so many promises from the Soviet delegation. The evidence so far is not encouraging. Soviet officials state that 500 exit permissions were approved this January. If true, if each became an emigrant, and if the same proportion were continued throughout this year, there would be only 6000 emigrants for 1987 - much less than the Jewish average alone over the last 15 years and less than one-eighth the Jewish emigration in the peak year of 1979. We have also heard of cases in which family reunification is being used against applicants, who are told they must not abandon family members in the Soviet Union. And the use of the security exclusions to prevent emigration seems to be growing; young men are being drafted into the army to make them ineligible for emigration. Naum Meiman is himself being denied emigration on the grounds that he did secret work 30 years ago.

Back in Moscow Inna used to tell the tale of the timid fish who lived in a hole at the bottom of a broad river. For fear of the hungry carp or the killer eel he would only put his nose out from time to time to grab a morsel to eat. Then one day he said no - I won't be afraid, not of the carp nor the eel. I will swim down the broad river and see all the wonderful sights of this beautiful world. And no sooner did he think this than he died.

Inna saw herself in that story. Like the little fish, she died in the happiness of discovery. We mourn her and will honor her by not forgetting the Jews, the Germans, and all the others in the Soviet Union who have not been allowed their right to even the three weeks that she had. We can honor her by continuing to put the Soviet government against the obligations on freedom of movement that political commitments dictate and simple humanity requires.

REPRESENTATIVE STENY H. HOYER
CHAIRMAN
U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE
PLENARY SPEECH TO THE VIENNA CSCE REVIEW MEETING
VIENNA, AUSTRIA

FEBRUARY 13, 1987

MR. CHAIRMAN:

AS CHAIRMAN OF THE U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE AND VICE-CHAIRMAN OF THE U.S. DELEGATION TO THE VIENNA MEETING, I AM PLEASED TO RETURN TO VIENNA TO ATTEND THIS MEETING AND TO SPEAK ONCE AGAIN BEFORE THE PLENARY.

WHEN I LAST SPOKE, IT WAS EARLY NOVEMBER, AT THE BEGINNING OF THIS REVIEW CONFERENCE. THOUGH IT WAS ONLY THREE MONTHS AGO, IT SEEMS LIKE A MUCH LONGER TIME. MUCH HAS HAPPENED IN THE INTERIM.

DURING THAT TIME, SOME GOVERNMENTS WERE CALLED TO ACCOUNT FOR THEIR FAILURE TO IMPLEMENT SOME OF THE MOST CRITICAL PRINCIPLES OF THE HELSINKI ACCORDS. DURING THAT TIME, SOME GOVERNMENTS OFFERED GOOD WORDS AND ENTICING GESTURES AS THEIR RESPONSE TO THE GENERAL CALL FOR PROGRESS AND PERFORMANCE IN HUMAN RIGHTS.

AS I SAID IN MY NOVEMBER SPEECH, PROMISES MEAN LITTLE IF THEY ARE NOT ACCOMPANIED BY DEEDS. THOSE OF US WHO BELIEVE IN THE INTEGRITY OF INDIVIDUALS WILL NOT REST UNTIL BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS ARE GUARANTEED FOR ALL.

BUT I ALSO RECOGNIZE, MR. CHAIRMAN, THAT CHANGE DOES NOT TAKE PLACE OVERNIGHT. IN THE UNITED STATES, WE HAVE -- SINCE THE EARLIEST DAYS OF OUR REPUBLIC -- CALLED OUR SYSTEM AN "EXPERIMENT IN DEMOCRACY." AN EXPERIMENT, WE SAY, BECAUSE EACH GENERATION FACES NEW CHALLENGES -- AND A SYSTEM CAN ONLY THRIVE IF IT IS ALLOWED TO GROW. NONE OF US PRETENDS TO HAVE ALL THE ANSWERS, SCIENTIFICALLY DETERMINED, FOR TIME IMMEMORIAL. WE RELY ON THE WISDOM OF OUR CITIZENS TO ADAPT OUR SYSTEM TO CHANGING CONDITIONS.

AND SO IT IS ONLY NATURAL THAT THE AMERICAN PUBLIC WATCHES THE RECENT DEVELOPMENTS IN THE SOVIET UNION WITH GREAT INTEREST. IT IS INDEED ENCOURAGING TO HEAR REPORTS THAT SOME HUNDRED AND FIFTY PRISONERS OF CONSCIENCE ARE BEING RELEASED, THAT THE VEIL OF CENSORSHIP HAS BEEN LIFTED EVER SO SLIGHTLY, THAT SOMEWHAT MORE MEANINGFUL ELECTIONS HAVE BEEN PROPOSED FOR BOTH THE WORKPLACE AND THE COMMUNIST PARTY HIERARCHY.

THE AMERICAN PEOPLE ARE ENCOURAGED, BUT NOT YET ENTHUSED. WE HARBOR NO ILLUSIONS. SOVIET AUTHORITIES CAN TURN OFF THE LIGHTS JUST AS EASILY AS THEY'VE TURNED THEM ON. NOR SHOULD WE BE LULLED INTO THINKING THAT THE PROMISE OF GLASNOST BY ITSELF AMOUNTS TO REAL COMPLIANCE WITH THE HELSINKI FINAL ACT. IT DOESN'T, THOUGH IT SUGGESTS THAT PROGRESS OF SORTS IS UNDERWAY IN THE SOVIET UNION, EVEN IF WE'RE NOT SURE HOW MUCH OR WHY.

IF GLASNOST IS TO GAIN CREDIBILITY IN THE WEST, WE MUST SEE ITS PROMISES TURN INTO COMPREHENSIVE RESULTS. WE MUST SEE ITS GESTURES TRANSFORMED INTO INSTITUTIONAL SAFEGUARDS -- SAFEGUARDS THAT PROTECT CITIZENS WHOSE ONLY DESIRE IS TO EXERCISE THEIR LEGITIMATE RIGHTS, INCLUDING THE RIGHT TO LEAVE AND REENTER THEIR OWN COUNTRY.

MR. CHAIRMAN, TODAY THE WEST TABLES TWO PROPOSALS THAT DO EXACTLY THAT. THEY PROVIDE A BLUEPRINT FOR IMPROVING COMPLIANCE WITH IMPORTANT HELSINKI COMMITMENTS. THEY CHALLENGE THE SOVIET UNION TO SHOW THAT THE PROMISE OF GLASNOST CAN LEAD TO FULL COMPLIANCE WITH ITS CSCE PROMISES.

IN A RECENT SPEECH, GENERAL SECRETARY GORBACHEV COMMENTED THAT THE WEST FEARS DEMOCRACY IN THE SOVIET UNION MORE THAN ANYTHING ELSE. QUITE TO THE CONTRARY. WE WELCOME SIGNS OF DEMOCRACY AND IMPROVING RESPECT FOR HUMAN RIGHTS. OUR PROPOSALS ARE MEANT TO ENCOURAGE THEM. AS TO THE QUESTION OF WHO FEARS DEMOCRACY IN THE SOVIET UNION, WE MAY FIND THE BEST ANSWER IN THE WAY THE SOVIET DELEGATION RESPONDS TO OUR PROPOSALS.

FIRST, I WOULD LIKE TO SPEAK TO THE PROPOSAL -- WT. 38 -- ON THE CONTRIBUTION OF INDIVIDUALS AND GROUPS TO THE CSCE PROCESS WHICH MY DELEGATION IS HONORED TO INTRODUCE TODAY TOGETHER WITH THE DELEGATION OF DENMARK. THE PROPOSAL SPEAKS TO THE HEART OF OUR PUBLIC'S CONCERN. IT ENCOMPASSES, IN DETAILED FASHION, THE ACTIVITIES OF HUMAN RIGHTS MONITORS AND CITIZENS' GROUPS WHICH PLAY A GENUINE AND POSITIVE ROLE IN THE HELSINKI PROCESS.

IT PROVIDES, INTER ALIA, FOR THE REMOVAL OF LEGAL OR ADMINISTRATIVE IMPEDIMENTS THAT PREVENT INDIVIDUALS, INDEPENDENT INSTITUTIONS AND ORGANIZATIONS FROM MONITORING IMPLEMENTATION OF CSCE COMMITMENTS. IT REQUIRES THAT STATES RESPECT IN PRACTICE THE RIGHT OF CITIZENS AND OTHER GOVERNMENTS TO INVESTIGATE AND MAKE INQUIRIES CONCERNING ALLEGED VIOLATIONS OF THESE COMMITMENTS AS WELL AS THEIR RIGHT TO EXPRESS AND DISSEMINATE VIEWS ON IMPLEMENTATION. IMPORTANTLY, THE PROPOSAL GIVES EXPLICIT RECOGNITION TO THE FACT THAT SUCH MONITORING, SUCH INQUIRIES AND SUCH REPRESENTATIONS "ARE FULLY CONSISTENT WITH THE AIMS OF THE FINAL ACT AND THE MADRID CONCLUDING DOCUMENT." THAT IS TO SAY, THAT PERSECUTING HELSINKI MONITORS IS IN DIRECT CONTRAVENTION OF THE LETTER AND SPIRIT OF THE HELSINKI DOCUMENTS.

FURTHERMORE, WT. 38 PLEDGES STATES TO ELIMINATE OBSTACLES THAT PREVENT INDIVIDUALS FROM FORMING OR JOINING INDEPENDENT INSTITUTIONS AND ORGANIZATIONS. THESE FREELY ESTABLISHED AND JOINED INSTITUTIONS AND ORGANIZATIONS WOULD BE PERMITTED TO INITIATE AND MAINTAIN DIRECT CONTACTS, COMMUNICATION AND ORGANIZATIONAL TIES AMONG THEMSELVES AND ACROSS BORDERS, AND TO TRAVEL TO OTHER PARTICIPATING STATES AS THEY SO DECIDE WITHOUT INTERFERENCE. IN THIS CONTEXT, FREELY ESTABLISHED AND JOINED TRADE UNIONS AND THEIR FREELY CHOSEN REPRESENTATIVES -- SUCH AS SOLIDARITY UNION REPRESENTATIVES -- SHOULD BE ABLE TO CONDUCT UNION ACTIVITY AND NOT SUFFER PENALTY FOR DOING SO. IN SHORT, THE PROPOSAL ENVISAGES THE GREATEST AND MOST VIGOROUS PARTICIPATION OF ALL OUR CITIZENS IN THIS PROCESS.

IN KEEPING WITH THE ESSENCE OF OUR PROPOSAL, WE IN THE WEST WELCOME THE RECENT RELEASE OF SOME HELSINKI MONITORS. BUT FIVE HAVE ALREADY DIED IN PRISON, AND NEARLY 30 MONITORS REMAIN INCARCERATED -- STARKLY IMPEACHING THE CREDIBILITY OF SOVIET HELSINKI COMMITMENTS. UNTIL THEY ARE RELEASED, GLASNOST'S PROMISE REMAINS IN DOUBT.

EVEN AS LATE AS JANUARY 14TH OF THIS YEAR, A SOVIET WEEKLY REFERRED TO THE MOSCOW HELSINKI GROUP AS A "LITTLE GROUP OF PHONIES WHO MADE A BUSINESS OF SUPPOSEDLY MONITORING IMPLEMENTATION OF HUMAN RIGHTS IN THE SOVIET UNION." MR. CHAIRMAN, I HAVE MET AND TALKED WITH SEVERAL OF THESE SO-CALLED "PHONIES." THEY ARE, IN MY OPINION, MEN AND WOMEN OF COURAGE AND CONVICTION WHO HAVE SACRIFICED THEIR FREEDOM AND, IN SOME CASES THEIR LIVES, FOR THE CAUSE OF HUMAN RIGHTS. IN PARTICULAR, THESE HELSINKI MONITORS -- THOSE BRAVE SOULS SOVIET AUTHORITIES REFER TO AS "PHONIES" -- HAVE BEEN HARASSED, BEATEN, ARRESTED, IMPRISONED AND TORTURED FOR MERELY INSISTING THAT THEIR OWN GOVERNMENTS LIVE UP TO THE PROMISES THAT WERE MADE BY ALL OF US IN THE HELSINKI FINAL ACT.

IN THE CASE OF CZECHOSLOVAKIA, IT SEEMS THAT EVEN THE PROMISE OF GLASNOST HAS NOT BEEN OFFERED. IN THIS, ITS TENTH YEAR OF EXISTANCE, CHARTER 77 AND ITS MEMBERS CONTINUE TO BE SUBJECTED TO SEVERE HARASSMENT, INCLUDING HOUSE SEARCHES, DETENTIONS, POLICE SURVEILLANCE, LOSS OF JOBS AND EVEN IMPRISONMENT. SIX CHARTER MEMBERS, INCLUDING JIRI WOLF AND JAN DUS, ARE CURRENTLY IMPRISONED IN CZECHOSLOVAKIA.

AT THE OPENING OF THE VIENNA MEETING, SOVIET FOREIGN MINISTER SHEVARDNADZE STATED THAT THE SOVIET UNION ATTACHES "PARAMOUNT SIGNIFICANCE" TO RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS. LAST YEAR, THE OFFICIAL SOVIET COMMITTEE ON SECURITY AND COOPERATION ANNOUNCED THE FORMATION OF A SPECIAL COMMISSION ON VARIOUS HUMANITARIAN ISSUES WHICH WOULD INFORM SOVIET CITIZENS OF THEIR RIGHTS.

THE SOVIET UNION CLEARLY RECOGNIZES WHAT NEEDS TO BE DONE. OUR PROPOSAL OBLIGES IT TO ACT -- TO MOVE FROM WORDS TO DEEDS, FROM LOFTY RHETORIC TO ENDURING COMPLIANCE WITH THEIR COMMITMENTS. IT IS NOT ENOUGH FOR THE SOVIET GOVERNMENT TO FORM COMMISSIONS THAT REMAIN SILENT IN THE FACE OF CONTINUING HUMAN RIGHTS VIOLATIONS. SOVIET CITIZENS WHO BELIEVE IN THE HELSINKI PROCESS, SUCH AS LITHUANIAN MONITOR BALYS GAJAUSKAS (BAY-LIS GA-YOW-SKIS) MUST BE RELEASED FROM CONFINEMENT. CITIZENS MUST NO LONGER BE SUBJECT TO ARREST FOR MONITORING ACTIVITIES. THEY MUST BE FREE TO EXERCISE THE RIGHTS THEY HAVE BEEN PROMISED. THAT IS WHAT OUR PROPOSAL IS ALL ABOUT.

MR. CHAIRMAN, OUR SECOND PROPOSAL, WT. 39, ADDRESSES THE PLIGHT OF PERSONS IN CONFINEMENT. THE PROVISIONS OF THIS PROPOSAL ARE INTENDED TO PROTECT INDIVIDUALS FROM ARBITRARY ARREST, DETENTION OR EXILE -- WHETHER INTERNAL OR EXTERNAL. THE PROPOSAL WOULD ACT TO PROTECT PEOPLE FROM CRUEL, INHUMAN OR DEGRADING PUNISHMENT, SUCH AS TORTURE AND SPECIFICALLY PSYCHIATRIC ABUSE. IN ESSENCE, OUR PROPOSAL PROMOTES INSTITUTIONAL SAFEGUARDS FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS.

REGRETTABLY, IN THE USSR AND SOME OTHER EASTERN PARTICIPATING STATES, PHYSICAL FORCE IS USED TO OBTAIN CONFESSIONS FROM THE INNOCENT AND ILLEGALLLY PUNISH DISSENTERS. THE RATE OF ARBITRARY ARRESTS OF RELIGIOUS ACTIVISTS HAS DOUBLED IN RECENT YEARS. TRIALS OF DISSIDENTS ARE FREQUENTLY ARRANGED TO DENY OR IMPEDE PUBLIC AND FAMILY ACCESS. IN THE SOVIET UNION, FOR EXAMPLE, PRISONERS HAVE BEEN RESENTENCED TO EXTENDED TERMS OF IMPRISONMENT. WHEN WILL WE SEE THE EFFECT OF GLASNOST IN THIS AREA?

AND THEN THERE IS THE POLITICAL ABUSE OF PSYCHIATRY. PSYCHIATRIC HOSPITALS ARE USED TO INCARCERATE DISSENTERS FOR INDEFINITE TERMS. MIND-ALTERING DRUGS, ELECTRO-SHOCK AND OTHER TREATMENTS ARE DELIBERATELY MISUSED AGAINST PRISONERS OF CONSCIENCE.

HANNA MYKHAILENKO (MI-KHAI-LEN-KO), A DEFENDER OF UKRAINIAN CULTURAL FREEDOM, HAS BEEN CONFINED SINCE FEBRUARY 1980. IN NOVEMBER OF THAT YEAR -- ON THE SAME DAY THAT THE MADRID CONFERENCE BEGAN -- HER TRIAL BEGAN IN ODESSA. HANNA WAS THEN SENT TO A PSYCHIATRIC PRISON-HOSPITAL. SINCE HER OBSCURE TRIAL SEVEN YEARS AGO, THERE HAS BEEN NO INFORMATION ABOUT HER. IN EFFECT, SHE HAS BEEN SENTENCED TO OBLIVION.

THIS IS JUST ONE EXAMPLE AMONG THE MANY WHO SUFFER.

MR CHAIRMAN, PROPOSAL WT. 39 ESTABLISHES INTERNATIONAL STANDARDS TO SAFEGUARD THE RIGHTS OF DEFENDANTS. IT ENCOURAGES STATES TO REDUCE RESTRICTIONS ON ACCESS BY RELATIVES, FRIENDS, AND -- FOR HUMANITARIAN PURPOSES -- REPRESENTATIVES OF NON-GOVERNMENTAL

ORGANIZATIONS TO PERSONS IN CONFINEMENT. IT CALLS UPON NATIONS TO RESPOND POSITIVELY TO REQUESTS TO OBSERVE LEGAL PROCEEDINGS, SUBJECT ONLY TO THE RESTRICTIONS PROVIDED BY LAW, AND IN CASES WHERE ACCESS IS DENIED, PROVIDE FULL EXPLANATIONS. IT ALSO COMMITS STATES TO PROHIBIT TORTURE AND PSYCHITRIC ABUSE OF CITIZENS AND TO TAKE STEPS TO PREVENT AND PUNISH SUCH PRACTICES. FINALLY, IT PLEDGES STATES TO TAKE ALL APPROPRIATE MEASURES TO EDUCATE STATE OFFICIALS ON THE NEED FOR GENUINE RESPECT FOR HUMAN DIGNITY.

THESE ARE THE MINIMUM STANDARDS OF INTERNATIONAL DECENCY. IT IS A TELLING COMMENT ON THE DEGREE OF VIOLATIONS THAT THEY NEED TO BE EMPHASIZED HERE TODAY.

NOW I REALIZE THAT AT A CONFERENCE SUCH AS THIS, DIFFERENCES OF OPINION WILL EXIST. WHETHER THAT DIVERSITY STEMS FROM DIFFERENT POLITICAL SYSTEMS OR CULTURES MATTERS LITTLE. ELEVEN YEARS AGO, WE PUT ASIDE THOSE DIFFERENCES AND REACHED A CONSENSUS REGARDING THE UNIVERSALITY OF HUMAN RIGHTS, BASIC TO ALL INDVIDUALS, REGARDLESS OF THE POLTICAL SYSTEM UNDER WHICH HE OR SHE MAY LIVE. WE RECOGNIZED THAT ONE SOURCE OF TENSION BETWEEN STATES IS GOVERNMENT POLICIES AND ACTIONS WHICH VIOLATE CITIZENS' RIGHTS.

IT HAS BEEN SAID IT IS WISE TO BE PESSIMISTIC . ONE THEREBY AVOIDS DISAPPOINTMENTS AND EVEN RIDICULE. PERHAPS THAT IS THE SAFER COURSE. BUT THE FINAL ACT -- AND THE HELSINKI PROCESS ITSELF -- WAS BUILT ON OPTIMISM. THIS OPTIMISM HAS SOMETIMES SEEMED FOOLISH AND NAIVE -- NOT BECAUSE THE GOALS ARE UNWORTHY OR UNATTAINABLE, BUT BECAUSE SOME STATES HAVE IGNORED THEIR COMMITMENTS.

WE HAVE SEEN SOME MOVEMENT IN THE SOVIET UNION TOWARD COMPLIANCE WITH PREVIOUS COMMITMENTS. POLICIES NOW UNDER CONSIDERATION TO ACHIEVE ECONOMIC GROWTH AND REINVIGORATE AGING INSTITUTIONS MAY INFLUENCE HUMAN RIGHTS PRACTICES. RECENTLY, HIGH-RANKING SOVIET OFFICIALS HAVE INDICATED THAT TWO-THIRDS OF THE SOVIET CRIMINAL CODE IS UNDERGOING EXTENSIVE REVISION. ALREADY MANY PRISONERS OF CONSCIENCE HAVE BEEN RELEASED.

THESE ACTIONS AND STATEMENTS HAVE HAD A POSITIVE EFFECT ON WORLD PUBLIC OPINION. IT IS NOW CLEAR THAT THEY ARE MORE THAN PUBLIC RELATIONS MOVES. IF THESE EARLY RELEASES WERE TO BE EXPANDED TO INCLUDE ALL PRISONERS OF CONSCIENCE -- IN THIS AREA AT LEAST -- PAST WORDS WOULD BE MATCHED BY PRESENT DEEDS.

THE OBJECTIVES OF THE HELSINKI FINAL ACT AND THE MADRID CONCLUDING DOCUMENT WILL BE ACHIEVED NOT BY A DECREASE IN THE NUMBER OF DISSIDENTS HOSPITALIZED FOR "LATENT SCHIZOPHRENIA," BUT BY THE PERMANENT AND

STATEMENT BY AMBASSADOR SAMUEL G. WISE
DEPUTY CHAIRMAN, U.S. DELEGATION

Plenary, February 18, 1987

FREEDOM OF COMMUNICATION

Mr. Chairman,

Today, I am pleased to join the United Kingdom in introducing Proposal WT.74 regarding respect for the privacy and integrity of postal and telephonic communications. Also, I am pleased to sponsor Proposal WT.56, on the subject of information, introduced today by the United Kingdom, Spain, Ireland and Luxembourg. Finally, I would like to associate my country with Propsal WT.45 regarding the holding of an "Information Forum" in the post-Vienna period to discuss interrelated problems and cooperative measures concerning circulation of, access to, dissemination and exchange of information. Taken together, these proposals constitute a major initiative at this meeting regarding freedom of communication.

First, to the subject of mail and telephonic communications. You may recall that on December 3, we referred to the famous letter from Tatiana to Evgeniy Onegin, which she entrusts for delivery to her nurse. The point of the story was that postal communications had become vastly more sophisticated since Pushkin's time, but not necessarily more reliable. Today, I am reminded of other vignettes from Russian literature. In a well-known short story by Anton Chekhov, a little serf boy is taken away from his village to work in a town. He is put to hard labor, is hungry and homesick and cries himself to sleep every night. Finally, through great effort, the little boy manages to print a letter to his grandfather. It is a cry for help. He posts it and the very thought of its delivery and his deliverance eases his heart. The childishly scrawled address, we learn, reads simply, and sadly, "To Grandpa in our Village." Every Russian child is familiar with the rhyme by Kornei Chukovsky, "Telefon," where a call is initiated by an elephant to his friend the lion, who passes the message by phone through a chain of other animals. In the end, the original message is hopelessly garbled.

Mr. Chairman, the problems before us in the field of postal and telephonic communications are not caused by the lack of a modern system of communications, nor by the addressee giving insufficient postal information, nor are telephone communications made incoherent by human foible. The root of our problems is deliberate government interference in postal and telephonic communications in contravention of international commitments. Our proposal spells out precisely what these international obligations require governments to do in the field of human contacts.

In speaking on the problem of non-delivery of mail in the Soviet Union, we have said previously that it might be argued that mail delivery is such an ordinary fact of life that it is not important. But its ordinariness is exactly what makes it critically important.

All of us here in this room travel the world, make friends and acquaintances, and correspond with them. Although we, as diplomats, are exempt from many travel restrictions, I know that I, as I am sure many of you, rely heavily on the mail system nonetheless to maintain contact with friends and family. The point is, Mr. Chairman, that most of us take the benefits of the postal system for granted.

Unfortunately, many of our citizens who are subject to the travel restrictions of some participating countries, can rely only on the mail and on the phone system to learn news of their loved ones in other countries. And therefore it is doubly disturbing to our government when even these last lines of communication are severed. The Soviet Government, for example, in contravention of several international agreements as well as its own constitution, has decided it can choose which of its citizens are allowed to correspond with friends and family abroad. Mr. Chairman, if adopted and implemented the proposal would contribute significantly to the remedy of this problem.

First of all, agreement to this proposal means that States will "respect the privacy and integrity of postal and telephonic communications." Indeed, the Soviet constitution, under Article 128 to be precise, guarantees protection of privacy of correspondence. On what basis then, could Vladimir Lifshits and Alek Zelichonok have been sentenced to "anti-Soviet slander" when the only evidence to which the State referred in the trial was letters to friends abroad which were illegally confiscated? We understand that, in conjunction with the amazing and heartening developments now unfolding in the Soviet Union, Mr. Zelichonok has been freed, but we still await news of Mr. Lifshits.

Despite these legal guarantees, there is evidence, amassed by numerous individuals, members of ethnic and religious communities, and by the U.S. House of Representatives Committee on

Post Office and Civil Service, particularly Congressman Ben Gilman, that Soviet authorities tamper with the majority of mail sent to Soviet citizens from the United States. As a measure of the deep concern which this action raises in my country, the United States House of Representatives in 1984 passed a resolution calling on all member countries in the Universal Postal Union to "encourage the Soviet Union to respect its treaty obligations."

Mr. Chairman, the various provisions of the proposal we are putting forward would speak to the heart of the problems I have outlined. Most importantly, participating States wold oblige themselves to implement a series of measures to guarantee freedom of postal communications by adhering to certain practical measures. Such improvements would be of incalculable service to American citizens such as Meyer Kaufman, who has tried twice to send a package to his elderly mother in Odessa, only to be informed that she does not reside at the address where she lives.

The changes we envision are, for example, that delivery receipts for registered mail should be signed only by the addressee. If items are returned, the sender should be informed why and under what legal provision. These regulations should be clear, detailed and periodically updated. Medical and health supplies and equipment -- except where prohibited by law -- should be expeditiously delivered.

In addition, our proposal provides that States will establish conditions for rapid and uninterrupted telephone calls and other telecommunications services in accord with the International Telecommunications Convention. This provision might alleviate the hardship of another American citizen, who recently informed us that in the past several months, she has been unable to reach close friends in both Kishinev and Bendery. Although she was informed by Soviet officials that her friends were not in the post office at the time to take her call, she has written proof that the same officials informed her Soviet friends that the call was never made.

Finally, Mr. Chairman, as we mentioned in a speech in the fall, we look forward to the day when direct-dial telephone service between the Soviet Union and the West will be fully restored.

Before leaving this subject, Mr. Chairman, I want to report that our latest information shows some slight improvement in the overall area of postal and telephonic communications in the Soviet Union. If this is a trend established under the new policy of openness, we welcome it and hope it will continue until the problem disappears.

Turning now to the Western proposal on information, WT.56, we have recently welcomed such moves as Czechoslovakia's extension of the validity of visas for journalists and the cessation by the USSR of jamming of the BBC's Russian-language service. Nonetheless, it is sadly accurate to state that information provisions of the CSCE still are among the most poorly implemented.

To address this unfortunate situation, the proposal calls upon the participating States to permit unimpeded access to information and to remove any legal, administrative and technical obstacles preventing citizens from having the widest possible range of information, including printed, filmed and broadcast information consistent with their commitments under the Final Act and other relevant international instruments. The inaccessibility of foreign books and periodicals, the difficulty in taking out personal subscriptions, censorship and jamming, the persecution of citizens who engaged in unofficial publishing -- all such practices which were documented during the implementation phase of this meeting -- are addressed in this proposal.

Other matters that are encompassed by the proposal include taking advantage of opportunities offered by new means of communication to increase information flow between East and West. Media reciprocity, a key issue between the United States and a number of Eastern signatories, is also addressed by provisions of the proposal. Cooperative measures also are encouraged, such as telebridges.

We have also included a number of ideas regarding journalists, particularly the problems they encounter in the legitimate pursuit of their professional activities. Some countries have passed laws to restrict journalists' access to unofficial citizen sources. Others have continued already existing practices impeding the gathering and reporting of information.

The proposal submitted for consideration today supports increased opportunities for individual, as opposed to group travel for journalists and would aim to reduce to a maximum of two months the period for issuing visas or accreditions to journalists. It would also act to ensure greater openness and access to official press conferenes by foreign correspondents.

Mr. Chairman, the proposal introduced by the United Kingdom last Friday for a post-Vienna information forum would provide a unique and stimulating opportunity for journalists and others in the information field to exchange views on the freer and wider dissemination of information of all kinds. It would also serve as a forum to explore possibilities for new and cooperative developments in information gathering and transmission. The agenda would provide a highly visible platform from which to discuss our commitments in the information field and, assuming new commitments are accepted here, provide an occasion to evaluate how they are applied in practice before the next major review meeting.

Mr. Chairman, we hope that the proposal I have discussed today will meet with general approval. Surely there cannot be much argument about the need for new and more effective measures in the field of communication and information. These proposals go a long way toward meeting that need.

STATEMENT BY AMBASSADOR WARREN ZIMMERMANN CHAIRMAN OF THE UNITED STATES DELEGATION TO THE VIENNA CSCE FOLLOW-UP MEETING

Plenary Meeting February 20, 1987

The Vienna meeting has just moved into a new stage. From Agenda Item Five, which encompassed a review of implementation and the examination of proposals, we have now passed on to Agenda Item Eight, which foresees drafting of a concluding document. According to the text of Agenda Item Eight, such drafting will include decisions relating to the above-mentioned items. Those items include, of course, implementation review and examination of new proposals -- two subjects which, therefore, remain clearly within the competence of this new stage of our meeting. In fact, it could hardly be otherwise, since our concluding document must refer to both implementation and to new proposals.

As we enter this new stage, it is thus entirely appropriate, with a view to drafting, to take stock of progress that was made in implementation of Helsinki and Madrid obligations and proposals that were introduced to improve such implementation. I intend to do so today, and in the future as well.

In my first statement to this Vienna meeting, I referred to violations of the human rights provisions of the Helsinki Final Act. I said that these violations must be reversed because they are a threat to the Helsinki process and because they will make it impossible for the violating states to have the kind of dialogue and relationship which they profess to want with their Western neighbors. And I stated that positive action to reverse violations will find a positive response from the American people and from the American government.

Since the Vienna meeting began, the Soviet Union and some of its allies have continued to violate important elements of their Helsinki and Madrid obligations, and have even committed new violations. These have been described by the American delegation and many other delegations. Today I want to recognize, with equal openness, that there has been some progress toward improved compliance with commitments. In Poland, the release of nearly all political prisoners, together with other positive steps, has caused the United States government to review and to lift its economic sanctions. And in the Soviet Union, some fresh winds have begun to blow.

Since our 35 delegations first assembled in Vienna, we have witnessed the following positive actions:

--Irina Ratushinskaya, the noted Orthodox Christian poet, was released from prison and allowed to emigrate to the West.

--Of the five cancer victims about whom many of us spoke, three were finally permitted to seek medical treatment in the West, and a fourth has exit permission. Others desiring to emigrate for humanitarian reasons, such as Dr. David Goldfarb, have been allowed to depart.

--Of the American divided family cases which the Soviet government promised at Bern to resolve, some three-quarters have now been successfully resolved.

--There has been progress in bringing divided spouses together; 18 of the 28 cases on record at the time of the Geneva Summit have now been settled.

--Nearly 100 former Soviet citizens have received permission to return permanently to the Soviet Union.

--Dr. Andrei Sakharov has been allowed to return to an unfettered life in Moscow, and his wife, Elena Bonner, has been pardoned and also allowed to return to Moscow from exile.

--Mustafa Dzhemilev, an activist on behalf of his fellow Crimean Tatars, was released from prison.

--Significant new initiatives in the area of culture, particularly in the publication of previously banned books and the release of previously censored films, have been launched.

--Jamming has ceased on the BBC Russian Service.

--Finally, a number of prisoners of conscience have been released from detention. So far we can document about 35 who have actually returned, including ten individuals whom the U.S. delegation has mentioned at the Vienna meeting. Andrei Sakharov believes that the total number is about 60.

There is another category -- a category of assertions and promises -- which at least offers a potential for positive results. For example, Soviet officials have announced that 142 political prisoners have been released and that others will follow. Massive changes in the penal code have been promised. It is also asserted that the new legislation on entry-exit will liberalize emigration, although the restrictive text of the legislation and the initial use of it imply the reverse. If these potential steps forward are actually taken, they too, will be worthy of note. At present, however, they remain simply assertions and promises.

In the catalogue of constructive actions, I have not referred to the reverse side of this progess -- to its partial nature, to parallel actions which undercut it, to the fact that so much remains to be done to bring the Soviet Union into compliance with its obligations. There will no doubt be a need to return to these persistent problems in the near future. The point I want to make now is that certain positive trends are visible in the Soviet Union. We recognize them, we welcome them, we encourage them.

General Secretary Gorbachev, in his address last Thursday, denied that the new Soviet approach on humanitarian problems is the result of Western pressure. Rather, he said, it is the result of a new way of thinking. It is not for this meeting to analyze the motivation for the actions we have observed; our interest is in deeds, not motives. But it would be a welcome fact if these actions are indeed the result of a new way of thinking, since that means they should be followed by more comprehensive and more significant actions to comply with commitments.

There is a necessary connection between implementation and new proposals. In the view of the United States, implementation is the key element in the entire Helsinki process. New proposals are valuable insofar as they underline this vital principle. New proposals can be an incentive to implementation; they must not be a substitute for it.

In that spirit, the United States and 16 other Western countries have, during the past two weeks, introduced 16 proposals covering the entire human dimension of the Helsinki Final Act. They constitute the most comprehensive set of proposals on the human dimension ever put forward at a CSCE follow-up meeting. And they are focused on a single objective: implementation.

Fourteen of these proposals are textual -- that is, they describe obligations which could become part of the final document of this meeting. They cover virtually all the major human elements of the Final Act: freedom of thought, conscience, religion or belief; national minorities; the contribution of individuals and groups to the Helsinki process; persons in confinement; freedom of movement; human contacts; information; culture; and education. In addition, two follow-up proposals -- one a multi-faceted Conference on the Human Dimension, the other an information forum which would involve working journalists -- are a means of extending our focus on the human dimension beyond this Vienna meeting.

These proposals build upon our experience in Ottawa, Budapest, and Bern, reflecting the best ideas from these meetings. They also spring directly from the problems and issues discussed during the implementation phase of our Vienna meeting. They represent no threat to any states devoted to a new way of thinking about human issues. On the contrary, they offer a test of the extent to which these states are prepared to put new thinking into practice. They would not undermine the political system of any state, but they would require all states to live up to commitments which they have undertaken of their own free will.

PLENARY STATEMENT
DELIVERED BY AMBASSADOR ROBERT FROWICK
OF THE
DELEGATION OF THE UNITED STATES
TO THE
VIENNA REVIEW MEETING OF THE CONFERENCE ON SECURITY
COOPERATION IN EUROPE

February 27, 1987

TRIBUTE TO GENERAL PYOTR GRIGORENKO

Mr. Chairman:

Last Saturday a great humanitarian, General Pyotr Grigorenko, died in the United States. General Grigorenko's life was closely linked with the Helsinki process. A founding member of both the Moscow and Ukrainian Helsinki monitoring groups, General Grigorenko championed many of the human rights causes that the West has sought to advance at this meeting. The proposals that the West has put forward regarding Helsinki monitors, the rights of persons in confinement and psychiatric abuse, the rights of national minorities -- 11 embody objectives for which General Grigorenko fought.

General Grigorenko worked tirelessly to bring the plight of the Crimean Tatars to world attention. Himself a victim of the cruel practice, Grigorenko sought to being about an end to the abuse of psychiatry for political purposes. It was a blessing that the General lived long enough to see the release from confinement of his old friends Crimean Tatar leader Mustafa Dzhemilev and of psychiatrist Anatoly Koryagin.

Formerly a highly-decorated Soviet general, dedicated Communist and a devoted patriot, Grigorenko distinguished himself in defense of his homeland in the Second World War. It was this same acute sense of duty and service to country that eventually led him down the long and difficult path to open dissent. He was a dissident in the true sense of the Russian word (inakomyslyashchiy), meaning, one who thinks differently.

As a young man, General Grigorenko watched in horror as the artificial famine laid waste to his native Ukrainian village and killed millions of his fellow countrymen. Having lived through the terrible years of Stalinism, he welcomed Khrushchev's call for reform at the Twentieth Party Congress. In the disappointing years that followed, Grigorenko continued to sense with a keen eye and a compassionate heart the conditions under which people in the Soviet Union were living. A man of integrity and strong conviction, he responded with honest protest. Grigorenko was determined that injustices of the past should never be repeated, that the victimized receive redress and that human dignity be respected.

Not only did General Grigorenko think this, he said it and suffered terrible consequences. He was deemed mad to have seen the truth and act upon it. After years of psychiatric confinement, in 1977 General Grigorenko was permitted to leave the Soviet Union to join his son in the United States. Shortly thereafter, he was stripped of his Soviet citizenship. In the United States, the General and his wife, Zinaida, continued their humanitarian work.

Grigorenko was of great height and straight of bearing, befitting a general. But his physical stature only reflected the inner man, a man of strength and courage, who stood tall for what he believed. Ambassador Zimmermann and other members of my delegation recall that when General Grigorenko came to Madrid at the opening of our CSCE Review Conference in 1980, he was by then well advanced in years and slow of gait. Yet, he determinedly and painstakingly made his way up to the podium at a press conference and delivered a resounding address on the need for Helsinki compliance.

Another vivid image of Grigorenko comes to mind, a picture described by his colleagues in the human rights movement. It is six o'clock in Pushkin Square on Constitution Day, December 5, 1976. A small group of intrepid human rights advocates has made their way to the monument to remove their hats in silent protest according to tradition. Grigorenko's bald pate towers above the little group. But, for the first time, the peaceful demonstration does not end in silence. Grigorenko speaks out about Vladimir Bukovsky, a participant in preparations for the first demonstration, then in a psychiatric hospital. The General concludes: "I thank you all for coming here to pay your respects to the millions who perished. Thank you for your sympathy for prisoners of conscience!" In response the crowd cried: "We thank you."

On behalf of the Government of the United States, we thank you, General Grigorenko, for your great contribution to the Helsinki process.

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

March 3, 1987
Vienna, Austria

Mr. Chairman:

I would like to make a few brief comments on two proposals relating to the Second Basket, one introduced today and the other last Friday. These proposals are WT.89, on the environment, and WT.101, on tourism. The United States is pleased to be a co-sponsor of both these proposals.

As we noted in the implementation debate, the United States remains deeply concerned about the environmental problems which all nations face. We continue to believe that it is important both to intensify our own individual efforts and to work together with other participating states, both on the bilateral and multilateral levels.

Therefore, we see W.T.89 as a means for taking us beyond the mere recognition of these environmental problems and leading to action on the part of every state represented here in Vienna. This proposal addresses the several aspects of the environmental picture: air pollution, water pollution, industrial accident hazards, toxic and dangerous waste, and natural resource management and conservation.
In each of these areas the proposal identifies ways in which further steps can be taken to deal with the problem. In all of these fields work is currently underway. It should be our task in Vienna to encourage those efforts, keeping in mind that our ultimate goal is a cleaner, safer and healthier environment which we and our children can enjoy. I trust that all delegations will be able to join in this task. Given the transboundary nature of environmental problems, cooperation among states is more important than ever.

Mr. Chairman, the second proposal on which I would like to comment deals with tourism and was introduced this morning by the Delegation of the Netherlands.

As this proposal notes, tourism makes a significant and growing contribution to the national economies of the region. But while tourism is an important source of national income, the value of the international travel market would be even greater were we able to remove those barriers which make travel difficult and, in some cases, all but impossible.

In addition, it is not just the economic factors we should keep in mind, but also the important role tourism plays in bringing together men and women of different cultures and backgrounds. Just as we encourage dialogue and contact among the delegates assembled here in Vienna, we should encourage dialogue and contact among our citizens, one of CSCE's great strengths is that it has greatly asserted contacts between the peoples in our countries. The proposal on tourism, WT.101, can go a long way toward facilitating international tourism and improving the contacts among those people whom we represent.

In conclusion, Mr. Chairman, I would argue that these two proposals will significantly enhance the CSCE process. Their implementation will bring economic benefits: tourism is an important factor in the economies of many CSCE states, and environmental protection measures are increasingly seen as necessary to maintain economic performance. At the same time, greater ability to travel and better environmental conditions will add significantly to the quality of life and well-being of millions of people. I therefore hope that all delegations will give these proposals their active support.

Thank you, Mr. Chairman.

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

March 6, 1987
Vienna, Austria

WT.105: SCIENCE AND TECHNOLOGY

This morning I would like to comment on the proposal introduced by Canada on cooperation and contacts in the fields of science and technology, WT.105. We fully agree with the underlying theme of this proposal: that respect for the rights of scientists as individuals and allowing them to establish and maintain direct contacts among themselves are vital for the development of mutually beneficial scientific and technological cooperation and development.

The United States has been and remains a strong advocate of scientific cooperation and is committed to making such cooperation work. We have pursued such cooperation through a number of bilateral agreements. However, regardless of our desire to facilitate cooperation through such agreements, humanitarian considerations play a significant role in determining the level and productivity of exchanges between scientists of our states. The governments of the participating States can create all the agreements they want, but they will find it difficult to reap the full benefits of scientific cooperation if scientists are denied their human rights and fundamental freedoms.

Many of the Eastern delegations have spoken in favor of scientific cooperation as well. In addition, some of them have introduced proposals on cooperation in the fields of science and technology. However, and unfortunately, in some of the states these same delegations represent, scientific research is tolerated only to the extent that the individual conforms politically. Those scientists who deviate from governmental views or seek to emigrate from their country can be denied the opportunity to pursue their scientific careers, cut off from their colleagues from other participating States and even stripped of their academic degrees. Even those scientists who do conform are usually restricted in their professional work. When contacts are allowed, they often take place under restrictive conditions. Despite their Helsinki and Madrid commitments regarding the promotion of cooperation in the scientific fields, some states seem to spend more time on trying to limit scientific research and contacts than on trying to facilitate them.

These limitations on the activities of scientists directly affect scientific creativity. Scientists must communicate with each other on an open basis if ideas and theories are to become practical, applied measures for improving the well-being of society. They should be free to travel, including staying abroad as long as they wish, so that they can further refine their thinking and learn the ideas of others. The inclusion of this WT.105 in a concluding document of this follow-up meeting, followed by its immediate implementation, would go far to increase the cooperation originally envisaged by the participating States in Basket II of the Helsinki Final Act.

The Ambassador of Italy, when introducing the proposal for a Scientific Forum, WT.64, in plenary on February 20, said that the mandate for the forum has been left open, to allow for the valid contributions of other delegations. I believe it would be useful if the Scientific Forum were to make a thorough review of the implementation of this proposal.

Statement by Ambassador Samuel G. Wise
Deputy Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

March 13, 1987
Vienna, Austria

Plenary Statement on Jazz Section Trial in Czechoslovakia

Mr. Chairman:

The trial of members of the Jazz Section ended in Prague on March 11 with the conviction of all five defendants and the sentencing to prison of two of its leaders. Two other members of the Jazz Section still await trial. It is said that the trial was ended earlier than planned because of reports that numerous supporters of the Jazz Section from other parts of Czechoslovakia were about to converge on the courthouse. In any case, a key defense witness--the former lawyer for the Jazz Section--was not allowed to testify at the trial.

We understand that the sentences handed down were considerably less than what was requested by the prosecution and that, in two cases, less even than the minimum under Czechoslovak law. We are naturally pleased that they were not worse. At the same time, we believe the trial should never have taken place and that the defendants should have all been released unconditionally. As we and other delegations have stated repeatedly here in Vienna, we believe the trial was motivated on purely political rather than criminal grounds and, as such, is directly counter to the letter and spirit of the Helsinki Final Act. The trial proceedings strongly support this conclusion.

Make no mistake, Mr. Chairman, the conviction and sentencing of the Jazz Section members is the latest step in a campaign by the authorities to suppress this organization which, since its creation in 1971 has merely sought to promote free cultural expression for a wide range of cultural figures in music and other art forms in Czechoslovakia. Even the trial judge, in sentencing the defendants, openly and somewhat ironically, praised the high cultural level of the Jazz Section's works, noting that it lacks a legalized form. Mr. Chairman, the work of the Jazz Section has for a long time had a legalized form, contained in the commitment to cultural rights and freedoms in the Final Act and the Madrid Concluding Document. Its banning by the Czechoslovak authorities in 1984 violated those documents.

Mr. Chairman, there is no doubt that the trial and convictions of the Jazz Section are an affront to our work here in Vienna where we are attempting to draft a concluding document which will move the Helsinki process forward. It is particularly unfortunate that they come at a time in our work when we see some positive steps beginning to be taken in the area of human rights in other participating states. The action taken against the Jazz Section clearly shows the need for the adoption and implementation of some proposals presented at this meeting which would act to prevent this type of cultural persecution.

After the trial, Jazz Section leader Karel Srp pledged that its work will go on, despite the ban on its activities. In his final statement to the court, Mr. Srp stated that the Jazz Section had been suppressed in violation of the Czechoslovak Constitution and the Helsinki Final Act.

In the name of the Helsinki Final Act and on behalf of my government and the American people, my delegation condemns the conviction. We call upon the Czechoslovak authorities to respect the cultural rights of its people and to allow the Jazz Section to play, in the words of the Madrid Concluding Document, "the relevant and positive role" which it has, from the beginning, exerted on the cultural life of Czechoslovakia.

Statement by Ambassador Robert H. Frowick
U.S. Delegation
Plenary Session, March 13, 1987

The Struggle Against International Terrorism -- Greater Cooperation Is Needed

Mr. Chairman, regrettably the history of the Conference on Security and Cooperation in Europe has coincided with an alarming upsurge in terrorism. This is a serious problem confronting the member states of this Conference. It cannot be ignored.

Terrorism and the CSCE Process

When the leaders of Europe and North America met in 1975 to sign the Helsinki Final Act, the problem of contemporary international terrorism was only beginning to take shape. Terrorists had launched a number of spectacular and sanguinary attacks, including the hijacking and blowing up of four airliners in Egypt and Jordan in 1970 and the slaughtering of Israeli athletes at the 1972 Munich Olympics.

But, by and large, these acts were viewed as isolated, highly unusual events conducted by extremist groups operating more or less on their own. The spectre of state-sponsored terrorism was not to become a dominant factor until the 1980's.

To their credit the drafters of the Helsinki Final Act recognized the threat of terrorism at an early stage. They declared in Principle VI on Non-Intervention in Internal Affairs that the participating states will: "refrain from direct or indirect assistance to terrorist activities, or to subversive or other activities directed toward the violent overthrow of the regime of another participating state."

By 1983 the problem of terrorism had become a serious international menace, and the Madrid document quite rightly devoted more attention to the problem. The authors represented here agreed to:

> "Condemn terrorism, including terrorism in international relations, as endangering or taking innocent human lives or otherwise jeopardizing human rights and fundamental freedoms and to emphasize the necessity to take resolute measures to combat it."

The Madrid concluding document contained some additional commitments which are also well worth repeating today. The participating states pledged to:

> "take all appropriate measures in preventing their respective territories from being used for the preparation, organization or commission of terrorist activities, including those directed against other participating states and their citizens."

The Madrid document strengthened language from the Final Act by adding that the participating states would: "refrain, inter alia, from financing, encouraging, fomenting or tolerating any such (terrorist) activities."

Negative Trends

Mr. Chairman, we regret to note that terrorism has become increasingly lethal during the lifetime of the CSCE process. As terrorism has become more lethal, it has also become less discriminating. Shrapnel from hand grenades thrown at airport ticket counters respects no passports. In addition to Americans, both Eastern and Western Europeans were casualties in the Rome and Vienna airport attacks in December 1985.

In the late 1970's and early 1980's, two Atlantic Alliance member states, Turkey and Italy, were subjected to relentless terrorist activity which seemed clearly aimed at destabilizing government authority. I can speak from direct experience with the situation in Italy, where I was serving in the American Embassy when a particularly militant wing of the Red Brigades seized United States Brigadier General James Dozier in December 1981. The Red Brigades held him for 42 days before Italian anti-terrorist police saved him and captured his kidnappers in a brilliantly executed rescue mission. During the Dozier case, the Red Brigades "declared war on NATO" -- following the example of some other Western European terrorists. Such declarations are taken very seriously by my Government.

A crescendo of international terrorist incidents directed at Europeans was reached in 1984 and 1985. West German bystanders were wounded when Qadhafi's gunmen tried to silence Libyan exiles critical of his regime. An unarmed British policewoman was killed under similar circumstances in London. French shoppers became casualties of Arab bombers. Soviet citizens were taken hostage in Lebanon.

Across Europe, the terrorists' battleground expanded beyond London, Paris, and Rome. Colombian terrorists recently traveled all the way to Budapest allegedly to exact revenge. Arabs assassinated Arabs in Bucharest. And as we are so painfully aware, even the streets of the Holy See have not been spared.

In the wake of protracted provocations by Qadhafi, in April 1986, the United States responded with limited military force. This action resulted in a salutary decline in terrorist incidents over the next several months. In Europe, international terrorist attacks were down almost one-third in 1986 from the previous year.

State-Sponsored Terrorism

The most omnious change over the past decade has arisen from the willingness of too many states actively to train, equip, and direct terrorists.

These are thus no longer lone individuals or small groups of militants acting on their own, literally dependent upon what they can beg, borrow, or steal. We are facing a new kind of danger in which nation-states use international terrorist/criminals as proxies they can easily disown. Terrorists enjoying state support command a number of advantages beyond ready access to equipment, communications, and financing. Sponsoring states can and do provide passports and other travel documents to help terrorists transit other countries en route to target areas. For example, those who attacked Rome airport in December 1985 were equipped with passports Libya had confiscated from Tunisian guest workers. The Jordanian who tried to blow up an El Al aircraft in London in April 1986 was in possession of a Syrian semi-official passport.

We know that some countries put state-owned airlines and diplomatic pouch facilities at the service of terrorists. Other important forms of support include training facilities and safe houses used to plan operations and to serve as places of refuge after operations are completed.

We are also aware that some nations have provided indirect support to terrorists -- allowing freedom of transit, for example, in return for immunity from attack. Striking a gentleman's agreement with extremists is, in our view, a very short-sighted policy.

The most notorious group exploiting these kinds of favors is the Abu Nidal organization, which was responsible for the attacks on Rome and Vienna airports in December 1985 -- and possibly the Pan Am hijacking in Karachi and the Istanbul synagogue massacre last September. Libya and Syria have been the main supporters of Abu Nidal in recent years. Regrettably, members of this group have enjoyed sanctuary and medical treatment in some CSCE participant states represented here.

The Cowardice of Terrorism

As we look both to the recent past and to the future, Mr. Chairman, it is important to make abundantly clear my country's view that the kinds of murderous actions to which we have been calling attention are truly acts of terrorism committed by terrorists. Terrorists should be seen for what they are and brought to justice.

Americans regard contemporary international terrorists as cowards who plan and carry out armed attacks against defenseless individuals -- men, women, and children. The well trained and armed killers, who actively engage in these kinds of assaults cannot be excused as so-called "freedom fighters".

Americans recognize a freedom fighter when they see one. The United States gained its independence through the struggle of colonial freedom fighters just over 200 years ago. Today we still see real fighters for freedom -- that is, for respect for national freedom, democracy, and pluralism -- in various parts of the world. Such individuals are anything but cowardly. For they are fighting against modern armed forces -- not defenseless civilians. Real freedom fighters are courageous patriots.

Hopeful Signs

Mr. Chairman, I am happy to note that some governments have begun to display increasing resolve in dealing with terrorists -- a marked change from the early 1970's. Today, governments appear generally less inclined, for example, to parole imprisoned foreign terrorists in order to avoid further attacks. Police officials have become more proficient at combatting the terrorist menace. It is much harder now, for example -- though unfortunately still possible -- to smuggle weapons aboard airliners.

Many governments have demonstrated a welcome new willingness also to work together to deter and prevent terrorism.

-- Last April, for example, the Foreign Ministers of the 12 European Community countries agreed to reduce the size of the Libyan People's Bureaus and to increase cooperation among law enforcement and intelligence agencies.

-- In May, the leaders of the seven governments of the economic summit countries agreed at Tokyo to a series of actions to be taken against international terrorism and states who support it.

-- More recently, in November, the Council of Europe approved an anti-terrorist resolution which calls for closer scrutiny of diplomats suspected of having connections with terrorists, and for a more extensive exchange of information relating to this scourge.

These developments are steps in the right direction, but much more needs to be done.

The Future

Mr. Chairman, unfortunately terrorism may well be a prominent feature on the international political landscape for the rest of this century. Though still inadequate, international cooperation to meet this threat is steadily growing -- as it must.

For its part, the United States has negotiated bilateral cooperation programs with some 50 governments. Our multilateral efforts have moved more slowly, but, as I have indicated, noteworthy progress has been achieved over the past year. Meanwhile, more governments are establishing increasingly effective counterterrorism offices. All of us need to take steps together to increase public understanding of the nature of terrorism. We need to resolve collectively to bring terrorists to justice.

In the end, the problem of international terrorism represents a grave challenge to every nation represented here. Effective responses to this problem require vigorous international cooperation. My government will continue to seek ways to achieve that goal with all CSCE participating states. We must step up our cooperation in translating into action the principles and pledges of the Helsinki Final Act and the Madrid Concluding Document. Those governments that are indifferent to this process put the security of all of us at risk.

Thank you Mr. Chairman.

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

March 27, 1987
Vienna, Austria

TEXTUAL PROPOSALS IN THE HUMAN DIMENSION

This morning I would like to review the range of fourteen proposals in the human dimension which seventeen Western countries have put forward to date and to which the United States strongly subscribes. And I will offer some comments about textual proposals sponsored by other countries. In later interventions I will analyze proposals in the area of Basket II and proposals for post-Vienna Meetings. My overall purpose is to make clear the views of my government as the Vienna Meeting approaches the critical stage of drafting a Final Document, when, as Ambassador Kashlev just said, we can take up our pencils.

The fourteen Western texts represent the most comprehensive set of proposals advanced by the West in the human dimension of the CSCE since the signing of the Final Act. Their scope is as broad as our concerns are deep. They embrace the fundamental freedoms of conscience, expression and movement and they embody shared Western values--values which are also reflected in the Helsinki Final Act. Our proposals express the strong Western conviction that implementation of human dimension commitments is critical to the preservation and development of CSCE as a force for genuine security and cooperation.

In drafting our fourteen proposals, the West drew on texts we had put forward at Ottawa, Budapest and Bern. Had the Soviet Union or other East European countries complied with their original commitments, no new proposals would have been necessary. Unfortunately, the problems remained unresolved, and the continued need to address them was made amply clear during our implementation review here in Vienna. Our intent, therefore, was to draft ambitious, problem-solving and action-oriented proposals. In this the twelfth year of the Helsinki process, we could do no less.

The majority of our proposals fall under Principle VII and the Human Contacts provisions of Basket III. These are the elements of the Final Act which most directly affect individuals. They are the areas where compliance has demonstrably been worst.

As these proposals have been introduced and discussed, we have heard some positive comments about many of their features. Since most of our proposals touch universal themes and shared concerns, it is not surprising that complementary proposals from other countries should have been advanced. By the same token, we are encouraged by the useful and often novel ideas in many of the proposals put forward by countries outside our particular group. Many Neutral ideas, for example, are boldly geared toward implementation in the near term and are designed to focus increased attention on problem areas which the West also has identified. These are positive signs.

We are disappointed, however, by statements by some delegations that many Western proposals in the human dimension are _a priori_ unacceptable, unserious or provocative. Stemming as they do from unfulfilled prior commitments under the Helsinki and Madrid documents, our human dimension proposals are by definition reasonable and serious. Of course, they are provocative, since they are meant to provoke action, not rhetoric. We have also heard broad criticism that our proposals plow terrain that was found to be barren at other CSCE meetings. We hear this criticism from those very countries that assert that significant changes are taking place in their societies, thus changing the terrain.

I am struck by the fact that a significant number of Eastern proposals seems to have been drafted solely for tactical purposes. They stand in countradiction to basic Helsinki principles that are elaborated in the Western proposals. It is of course quite natural that East and West, having different systems and political philosophies, should approach some issues from differing perspectives. What is not understandable or acceptable to us is that Eastern delegations, in rejecting some of the elements of our proposals, have denied that they have subscribed to basic Helsinki commitments in the first place. Sometimes even, in the drafting of their proposals, Eastern countries seem to be attempting to alter the Final Act's meaning. How are we to regard Eastern efforts to rationalize violations of Helsinki principles and provisions through proposals justifying censorship, extolling jamming, or defending religious intolerance? How are we to interpret Eastern attempts to create out of nothing a purported "right to enter" another country while stubbornly resisting straightforward references to the right to leave and return to one's own country as embodied in the Universal Declaration of Human Rights?

Mr. Chairman, the Western proposal WT. 22 on freedom of movement would remove any obstacles to exercise of this fundamental right to leave and return. WT. 22 calls for the abolition of the infamous exit visa and other procedural impediments. In addition, in cases where the state takes the serious step of restricting movement, rights of appeal are provided for. In this context I note that proposal H. 5, introduced this week by a combination of Neutral and Western states, also makes clear the fundamental nature of the right to freedom of movement.

These proposals have been put forward to ease the plight of literally tens of thousands of citizens who are denied the right to leave. Take, for example, former Soviet free trade union activist Fedor Finkel and his sister Lilija Finkel, who have been on a hunger strike since February 17 in their fully justified effort to obtain exit visas for themselves and their families. Or long-time Moscow refusenik El'azar Yusefovich, who began a hunger strike March 19 to protest Soviet denial of his application to emigrate. Or Kiev refusenik Lev Elbert, who remains on a hunger strike begun March 5. Is it really necessary for people to starve themselves in order to exercise a right which all the participating states recognized in signing the Final Act?

The point of departure for Western Third Basket proposals, which place human contacts cases squarely within a cooperative and humanitarian framework, is the unequivocal recognition of the right to leave and return. Again, proposal H. 5 underscores this point. The Neutral sponsors of human contacts proposals WT. 9 and WT. 93 appear to proceed from the same premise. My Government and other Western governments have been studying the elements of these Neutral proposals closely vis-a-vis our own proposals WT. 23, 24 and 53. Our human contacts texts offer practical remedies for existing human contacts problems. These proposals concern exit procedures; the humanitarian consideration of cases; the treatment of dual nationals - refraining from placing undue obstacles in the path of their settlement in the country of their choice; permission to families to travel together if they wish; and cessation of the widespread Eastern practice of denying exit to family members because of a relative's past actions. WT. 51 envisions a number of cooperative measures in the field of human contacts.

Despite the commitments of Helsinki and Madrid, these measures are still necessary. For example, I recently received a letter from refusenik scientist Valeriy Soyfer. Soyfer has been refused permission to emigrate from the Soviet Union for twelve years now, on grounds of secrecy. He denies that he has ever done secret work and points out that he had earlier been allowed to travel abroad with his wife, unusual for one possessing alleged "secrets." Most recently he was informed through a February 12 article in "Vechernyaya Moskva" that he is one of eight refuseniks who allegedly are in possession of secrets and will never be allowed to emigrate. He writes to me: "I consider that they are punishing me for my active fight for emigration from the USSR of all those who desire to leave for family, political, religious, professional or other reasons. I appeal - he says - to participants in the Vienna Meeting to help me and my family leave the USSR." The practical measures contained in the proposals I have just described would help hundreds and thousands of individuals to be reunited with or to visit relatives and friends.

My government and the vast majority of governments represented here reject Eastern formulations which would place measures regarding entry procedures on the same footing as the right to leave. Here I associate myself fully with the strong statements we have already heard this morning by the Delegates of Canada and the UK. Not a single Eastern proposal addresses the right to freedom of movement. In fact, the Eastern proposals on human contacts can largely be viewed as attempts to codify restrictive practices.

Another proposal of key importance to the Western countries is WT. 38, which further elaborates the Helsinki and Madrid commitments on the contribution of individuals and groups. These commitments are, in our view, central to this process. Removal of obstacles to the monitoring of implementation, to investigating alleged violations, and to expressing views on CSCE matters is essential if the commitments we have made are to have any meaning to the man on the street.

It is appropriate to discuss some Eastern and Neutral proposals here. Neutral proposal WT. 110, while not as detailed or explicit on some points as the Western proposal, does recognize the need for government responsibility as well as the need for a citizen's recourse to remedy if his right to "know and act" is violated. Eastern proposal WT. 86 on cooperation, speaks to State-to-State cooperation in accordance with Principle IX, but omits recognition of the relevant and positive role of private individuals and non-governmental groups, a role that was reaffirmed in Madrid.

While we have been encouraged by recent releases of political prisoners in the USSR, many who have sought to exercise the citizens' rights I have described remain imprisoned. Estonian human rights activist Mart Niklus, Georgian Helsinki monitors Merab Kostava and Tenghiz Gudava, Ukrainian monitors Mykola Horbal and Lev Lukyanenko, and others like them, remain in jail. Their only crime was to seek to monitor and exercise the rights granted to them in the Final Act by forming and joining unofficial citizens' groups. The recent sentences meted out to five members of the Jazz Section in Prague, the charges still pending against the Drdas, as well as those against Charter 77 activists Petr Pospichal and Jan Dus, also remind us of the need to reinforce our commitment to freedom of activity for individuals and groups under our general CSCE commitments.

The Western proposal WT. 39 on persons in confinement addresses the Helsinki commitment to respect the dignity of the human person. Its message is clear: no torture, no psychiatric abuse, no arbitrary arrest, detention or exile; maximum possible access on humanitarian grounds by relatives, friends and others; and increased opportunities for access to legal proceedings. All these provisions are safeguards against miscarriages of justice and cruel or harmfully inappropriate treatment of citizens by the State.

Despite the release of Anatoliy Koryagin, the Soviet use of psychiatry to punish political dissent--the practice against which he fought--continues. I recently received an appeal from P.E.N. laureate Nizamedtin Akhmetov, now reportedly incarcerated in a psychiatric hospital near Chelyabinsk, protesting the forced administration of painful drugs by hospital authorities. He writes: "I ended up under severe treatment. Who knows what more will befall me. Help me in any way you can." This week in Vienna I met an American and a West German psychiatrist who are active in efforts to eliminate such appalling misuse of psychiatry. They have documented over 500 current cases in the Soviet Union. They came here not as Americans or Germans but as psychiatrists whose whole profession is being sullied by such gross abuse of its professional standards.

Mr. Chairman, on the subject of Freedom of Thought, Conscience, Religion or Belief, it is revealing to compare and contrast Western proposal WT. 21 with Eastern proposal WT. 78. The Western proposal addresses the key question of elimination of discrimination for reasons of conscience. WT. 21 also provides for the enactment or repeal of legislation in order to prohibit such discimination; it provides for freedom to receive religious education as well as to receive, obtain and use needed religious materials and publications; and it provides for freedom to establish and maintain places of worship adequate to the requirements of believers and to establish and maintain religious contacts.

By contrast, Eastern proposal WT. 78 does not describe or enhance freedoms of conscience. It restricts them. To put the point another way, the "Thou Shalts" and "Thou Shalt Nots" of the Western proposal are directed to the Government, while the "Shalts" and "Shalt Nots" of the Eastern proposal are meant for the citizen. When one compares the two Neutral and Non-aligned proposals on the subject with the Eastern offering the same observation applies. The Neutral efforts attempt to ensure that the State does not come between the citizen and his conscience. In the Eastern case, the opposite, unfortunately, is true.

The continued incarceration of Russian Orthodox activist Zoya Krakhmalnikova and Hebrew teachers Aleksey Magarik, Yuliy Edelshtein and Iosif Berenshtein underlines the need for the adoption and implemention of commitments in the field of conscience. We are happy that some Hebrew teachers and others who have suffered for attempting to preserve religious values and a religious heritage are now free. However, as long as many hundreds of others remain jailed, and as long as the practice remains of punishing those who attempt to exercise this fundamental freedom, the provisions of WT. 21 will be relevant and necessary to this process.

On the important issue of national minorities, Mr. Chairman, there is a comprehensive Western proposal, WT. 27. Its implementation would ensure that persons belonging to national minorities are not victims of discrimination and that the unique identity of such groups is protected. Together with a number of Western countries, we wholeheartedly support related Canadian proposal WT. 62 on refraining from placing obstacles in the way of minority contacts. One Eastern country has joined in sponsorship of WT. 27. And Yugoslavia, as has become traditional within the CSCE, also has been active on this subject. Equally remarkable, however, is the fact that there is no comparable initiative or proposal advanced by any of the other Eastern countries, nor have they improved compliance with existing Helsinki and Madrid commitments in this area, where serious problems continue to exist.

Mr. Chairman, taken together, proposals WT. 53 on non-interference with postal and telephonic communications plus WT. 74 on information speak to the whole question of freedom of communication, both personal and public. WT. 53 already enjoys the co-sponsorship of two Neutral countries. We detect an active and ripening interest in the information field by a wide range of countries. Western proposal WT. 74 concerns wider access to information of all kinds by our citizens. The removal of obstacles to their seeking, receiving and imparting such information is a major concern, including the unimpeded reception of broadcast information. Provisions are put forward:

to prevent punitive measures against citizens for gathering, possessing or distributing information;

to protect citizens in exercising their right to know and to freedom of expression by ensuring that classified information is designated as such;

to help journalists pursue their legitimate professional interests.

The U.S. delegation has looked carefully at Neutral and Eastern textual proposals on information. With respect to the Neutral proposals, we note that our particular concerns regarding unimpeded access to broadcast information and treatment of journalists are shared. Practical suggestions--some unanticipated but interesting, others similar to those in our proposal--are advanced. We note that Eastern initiatives contain forward-looking elements concerning the role of new communications techniques and the opportunities that these advances offer for cooperation in the information field. However, many of the Eastern texts also contain retrogressive and unacceptable components justifying censorship and jamming.

Finally, Mr. Chairman, Western proposals WT. 29, WT. 54 and WT. 57 on Culture and Education would facilitate greater freedom of creation, dissemination and cooperation in the arts, academia and sciences. In addition, a plethora of human dimension proposals has been advanced in these fields by Neutral and Eastern States. We will consider proposals in the cultural and educational fields in light of our experience at the Cultural and Scientific Forums and of the preeminent importance my delegation attaches to the proposals in human rights and human contacts which I have described.

In closing, let me emphasize that, as we look for common ground on the many textual proposals in the human dimension drafted by Western, Neutral and Eastern countries, we should be careful not to undermine longstanding CSCE principles. The common ground we seek cannot be a lowest common denominator. The standards of measurement for us all are the human rights principles and humanitarian commitments contained in the Helsinki and Madrid documents. These commitments are irreducible and unalterable.

It will be argued that we are asking too much in the bold proposals we have advanced. But we are prepared to take seriously the claims we have heard that greater openness and a new way of thinking are now the order of the day Just this week the Foreign Ministers of the Warsaw Treaty pledged in language which Kashlev has just read to us - to do their utmost so that the decisions of the Vienna meeting would be "a manifestation of new thinking in international affairs." To grasp these challenging and far-reaching proposals would be a fair test of openness and of new thinking. An act of political will is required, but the difficulties should not be insurmountable. Machiavelli, that great theorist of the art of the possible in statecraft, said: "Where the willingness is great, the difficulties cannot be great."

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-Up Meeting

Plenary Meeting

March 31, 1987
Vienna, Austria

BASKET II PROPOSALS

Today I would like to comment on some of the proposals pertaining to the second basket. As in Baskets I and III, there are a large number of proposals in Basket II -- too many, unfortunately. They cover a wide range of topics, issues and points of view. I propose to test some of the proposals against the original objectives of the participating States when they signed the Helsinki Final Act eleven and one-half years ago.

Before doing so, however, I would like to make a general remark about U.S. interests in Basket II. As the first speaker in subsidiary working group "E" last November, I said that the United States would like to see progress made in the fields of economic cooperation, science and technology, and the environment. We felt then that improvements in these areas could and should occur. We continue to feel that way. This is demonstrated by the many statements the U.S. Delegation has given on various Basket II topics during the implementation review phase of the meeting, and by the proposals of which the United States is a co-sponsor. Basket II is a vital part of the CSCE process, and we will continue to treat it as such.

I turn first to proposals that fall into the field of economic cooperation. The economic provisions of the Helsinki Final Act and the Madrid Concluding Document committed the participating States to create business conditions more favorable to the development of commerce between East and West. They indicate clearly that economic relations can be extended and enhanced only if business representatives are made clearly aware of market opportunities, so that they can find those opportunities that are sufficiently attractive. The ability to do this is fairly easy in most regions of the world, where decison-makers in the business community work in an environment that allows them to determine economic interest. They have an abundance of information as well as access to people and places of relevance to the business transaction of specific concern to them. In fact, so many advances in modern technology have occurred in recent years that Western business representatives now take the above-mentioned necessities for granted.

Trade with the nonmarket-economy countries of Eastern Europe and the Soviet Union, on the other hand, has always lacked these basics of trade activity. Business facilities have always been inadequate compared with those in the West and elsewhere, although their costs can at times rival those of the world's major commercial centers. Contacts have been inhibited and sometimes prohibited by restrictive laws. Economic and commercial information is not timely or sufficiently detailed to permit an accurate analysis of market potentials. It was for that reason that the participating States originally included in the sections of the Helsinki Final Act on commercial exchanges a number of detailed provisions on both business contacts and on economic and commercial information. They repeated similar themes in the section on industrial cooperation as well.

Because there was so little advancement in these areas, the participating States enhanced the Helsinki provisions on these topics in the Madrid Concluding Document. Some of the Eastern states have made commendable efforts to improve conditions for Western firms. For the most part, however, as the implementation review of the Vienna meeting has shown, the situation still remains unsatisfactory; in some respects, it has become worse. It is difficult, therefore, to move beyond these traditional areas of concern in Basket II. Without these basic tools for the conduct of business activity, economic cooperation between East and West will remain limited.

Several delegations, including that of the United States, have submitted to this forum proposals which continue the effort to correct this unfortunate situation. WT.117, for example, calls for steps to improve contacts among members of the business communities of the participating States. In particular, it calls for direct contacts between seller and end-user firms and enterprises, as well as for improved access to on-site facilities and the people who work there. It also seeks to enable firms to conduct market research. These steps are essential to determining exact enterprise needs and consumer tastes. We believe them to be practical, non-controversial steps -- steps that are in line with CSCE commitments that remain unfulfilled, steps which would facilitate business activity.

WT.118 calls for similar steps in the area of economic and commercial information. In addition to two specific recommendations regarding trade and balance-of-payments statistics, this proposal calls for unrestricted access to and use of economic and commercial information relevant to the promotion of commercial exchanges. Business representatives carry out their activities and make decisions on the basis of information; the information called for in this proposal will help them ensure that business activity makes sound economic sense. I note that WT.67, a proposal on statistics submitted by the delegation of Austria, contains some additional suggestions in this area that warrant our consideration.

Another important topic that received much attention at the Madrid Follow-Up Meeting and during the implementation review phase of this meeting concerns compensation transactions in all their forms, also known as countertrade. Compensation transactions can take many forms but can be simply defined as paying for products with products. This shifts the burden of marketing what are often low-quality goods from the Eastern foreign trade organization or enterprise to a Western firm.

The U.S. Delegation, along with many others, submitted a proposal on this topic, WT.115. This proposal enhances the relevant provisions of the Madrid Concluding Document, in which the participating States noted that problems can be created by compensation transactions. They recommended that further work in this field be directed toward identifying such problems and examining ways of solving them. WT.115 does just that. It lists several of the problems created by frequent and severe demands for compensation, problems which hinder the development of trade relations. The proposal then makes practical, reasonable suggestions on how the participating States can avoid these problems.

The need for the participating States to accept the recommendations contained in WT.115 can be seen by examining the practices of the Eastern, nonmarket-economy countries. While specific practices vary from one country to another, generally there was an increase in the frequency and severity of demands for compensation by these countries in the late 1970s and early 1980s. This insistence on countertrade created many problems on both the micro- and macro-economic levels. These problems are spelled out in WT.115. The continuing difficulties the Eastern countries are experiencing in generating hard-currency reserves and in lowering their foreign debts make us believe that these countertrade practices will continue and may even intensify in some countries. The effective implementation of WT.115 would lessen the negative impact of these practices on international trade.

Several delegations have commented negatively on these proposals, arguing that they do not cover issues worthy of the attention of representatives of thirty-five States. This parallels the argument usually made by the same delegations that an individual is not important enough to warrant our discussing his or her plight at this meeting. I believe it is impossible to ignore what is essential for the development of sound and mutually beneficial economic cooperation. We cannot move onto new objectives in the economic field of Basket II until there is compliance with current obligations.

Unfortunately, rather than taking the action necessary to fulfill their Helsinki and Madrid obligations, the Soviet Union and many of the East European states have sought instead to give the impression that the economic provisions of Basket II concern something entirely different. They seek to place the blame for current levels of East-West economic cooperation on others. They call for the taking of broad measures that are as unrealistic as they are unjustified. Proposal WT.106, sponsored by the delegations of the Soviet Union and of the German Democratic Republic, for example, seeks to eliminate controls placed on exports for national security or foreign policy reasons. However, as the authors of this proposal know perfectly well, every state -- including the two co-sponsors -- considers national security and foreign policy interests when determining trade policies. The only real difference between them is that, in open societies, laws are openly debated and made known to the public, making such practices apparent, while in closed societies, economies are centrally planned, which allows such controls to be hidden in internal, administrative measures that are never made known.

I would take issue with this and other proposals that suggest that Western trade and financial policies are the greatest barriers to the development of East-West economic cooperation. They are not. Most unutilized possibilities for increased trade between East and West suffer from the dual work of central planning and a state monopoly on foreign trade. By definition, these two entities set limits on what can be exported or imported and what cannot. The inability of Eastern countries to market their products in competitive Western markets is also a major factor. Although we will not submit proposals regarding these specific problems, we will not allow the blame for current levels of economic cooperation to be placed where it does not belong. Instead, we will seek to improve contacts and information for business representatives involved in East-West trade in the hope that improved conditions will allow them to find opportunities that may otherwise be passed over.

I would now like to examine some of the proposals dealing with cooperation in science and technology. As I said in an earlier statement, the United States has been and remains a strong advocate of scientific cooperation. We are committed to making such cooperation work. We have pursued such cooperation on an East-West basis through a number of bilateral agreements with several of the countries of Eastern Europe and, in particular, with the Soviet Union. Ultimately, however, the role of governments in this cooperation is limited. In the United States and many other participating States, the private sector holds most of the country's scientific and technological capabilities. We believe, therefore, that allowing direct contact between the individuals and organizations, rather than additional government efforts, is the key to greater benefits from scientific and technological cooperation.

For that reason the U.S. Delegation has co-sponsored proposal WT.105 on scientific and technological cooperation.

The implementation of this proposal would mean that scientists would be able to establish and maintain direct contacts with their counterparts abroad. It would also allow them to practice their profession regardless of what opinions or beliefs they may express. As WT.105 concludes, this is indespensible for lasting progress in the many fields of science and technology.

As in the economic field, there are some Eastern proposals in the field of scientific cooperation that seek to shift the blame and burdens away from where they really belong. Here I have in mind WT.20, submitted by the delegations of the Soviet Union and the German Democratic Republic, and WT/E.7, submitted by the delegations of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland and the Soviet Union. WT.20 calls for taking steps to "activate" scientific and technological cooperation and to increase the proportion of high technology goods and engineering services in trade between the participating States. WT/E.7 seeks similar ends in the field of engineering and automation. It is clear that it is not up to governments to undertake these things. In the West, it is up to the private sector, which may or may not find such cooperation in its interest.

WT.20 calls upon the participating States "to refrain from erection of barriers to the development and expansion of scientific and technological relations between them and to the commercial transfer of technology." This is a rather broad sentence that seems to have the same meaning as WT.106, the flaws of which I have already described. Neither proposal would increase long-term economic and scientific cooperation truly of benefit to both sides.

On environmental topics, we have a very large number of proposals at present. While the number is too large, it reflects a growing concern over the fate of our world's environment. Most of these proposals deserve careful attention; our experts in Washington are examining them closely.

The environmental proposal which the United States has co-sponsored, WT.89, calls for realistic and responsible measures to improve the quality of the air, to protect the ozone layer of the atmosphere, to preserve transboundary lakes and rivers, to help prevent or lessen the consequences of industrial accidents, to improve the safe handling and transport of toxic and dangerous wastes, and to encourage proper natural resource management and conservation. It calls for international discussion but stresses the need for actions to be taken in light of international obligations. The United States has already taken many steps in these areas on its own and will continue to be active in international discussions which could lead to further measures.

I would like to comment on one proposal relating to the section of Basket II entiteled "Other Areas." This proposal is WT.101 on the Development of Tourism. This proposal has been criticized in the "E" group as applying not to the provisions on tourism in Basket II, but to Basket III. I take strong issue with such an argument. WT.101 seeks to improve the tourist infrastructure as called for in Basket II of the Helsinki Final Act. It also deals with the financial means for tourist travel and the formalities required for such travel, also as recommended by Basket II of the Final Act. The rigidities in the tourist infrastructure which WT.101 seeks to eliminate inhibit people from travelling from one country to another. This not only affects those people who might otherwise travel; it also affects the economies of the participating States, many of which are dependent on tourism as a major source of national income and employment. For these reasons, WT.101 is a proposal that I hope everyone will be able to support.

As some of you may have noticed, my comments on the state-of-play in Basket II have not included discussion of possible follow-up activities. This is a topic on which I will focus in a future statement. For now, however, I do want to mention that there is a very large number of proposals -- at least ten -- for follow-up activities in Basket II. This obviously is too many. Some of them are redundant with work that could be done or is already being done at the Economic Commission for Europe. Some of them simply are unnecessary from our point of view. Their purpose seems to be to continue to talk about various issues and problems instead of taking the unilateral measures needed to improve compliance with Basket II provisions.

Regarding the Economic Commission for Europe, there are many recommendations for further ECE work in the Basket II proposals we are now considering. The United States supports some of these recommendations, such as those contained in WT.89 on the environment and WT.115 on compensation trade. Furthermore, we have commended the work done under the auspices of the ECE. At the same time, we have questions regarding broad proposals calling for the general expansion of the ECE's role in the CSCE, such as in proposal WT.55, which was submitted by the delegations of the German Demoncratic Republic, Bulgaria, Czechoslovakia and the Soviet Union.

In conclusion, Basket II is, for the United States, an area of CSCE which merits growing attention. My intervention today was intended to provide the Vienna Meeting a better picture of how the U.S. Delegation views a favorable outcome of our efforts in this area.

Statement by Ambassador Warren Zimmermann
Chairman of the United States Delegation
to the Vienna CSCE Follow-up Meeting

Plenary Meeting

April 3, 1987
Vienna, Austria

PROPOSALS FOR FOLLOW-UP ACTIVITIES

In my last two statements I have explained the U.S. position on issues affecting the human dimension and on Basket II. Today I will discuss our view of the follow-up to Vienna -- CSCE activities which can take place between the Vienna Meeting and the next follow-up Meeting.

At the conclusion of our Vienna meeting, we will fix the date and place of the next follow-up meeting, thereby assuring the continuity of the process launched in 1975 by the Final Act. Follow-up meetings are crucial for taking stock of all aspects of the process, reviewing implementation of commitments we have undertaken, giving new impetus to achieving full compliance with those commitments, and opening new avenues for exploration. Our deliberations in Vienna show the vital need for some Participating States to suit their actions to their words -- to fulfill the promises which we have all made. No text and no meeting can take the place of actions by each of us -- unilaterally, bilaterally and multilaterally -- to meet our commitments. In the end, the health and future of CSCE depend on our deeds and practices and not on our fine speeches and careful drafting.

As we consider follow-up proposals, let us not make the mistake of confusing form with substance. Meetings cannot be a substitute for implementation. We should also not put off to the future the actions that our commitments oblige us to take today.

CSCE activities between follow-up meetings can play a constructive role in encouraging deeds that give concrete expression to our commitments. Post-Vienna meetings can be useful in assuring that whatever progress we make here on implementation will be continued and enhanced when this meeting concludes. We have before us more than 30 proposals for activities that might take place after the Vienna Meeting. To advance the CSCE process meaningfully, we need to make careful decisions about intersessional activities. What lessons can we draw from the past?

The Madrid Concluding Document mandated a full and ambitious intersessional agenda: The Stockholm Conference; experts' meetings in Ottawa on human rights, in Athens on the peaceful settlement of disputes, and in Bern on human contacts; the Venice Seminar on economic, scientific and cultural cooperation in the Mediterranean; and the Budapest Cultural Forum. We have already reviewed in detail the results of these meetings. Looking at them as a whole reveals -- I believe -- several important criteria that should guide our decisions on post-Vienna activities.

Our agenda between Madrid and Vienna was ample in terms of subject matter, time, and resources. Efforts to make the commitments of Helsinki a reality varied among the Participating States, but some steps forward proved possible. The record of implementation problems was made clear; and possible solutions to these problems were explored. This is the work on which the Vienna Meeting should build. In order to profit fully from post-Vienna activities, their number should be reasonable and limited. Our predecessors at Madrid set a good example by limiting such activities to six.

We must avoid at all costs a cheapening or trivialization of the CSCE process. I fear that very possibility. With over 30 proposals on the table there is the risk of turning CSCE into a travelling carnival whose numbing repetition of the same show with the same performers loses purpose and public support. Our publics, after all, pay the bills. One Participating State has proposed no fewer than 12 follow-up events -- a number that makes one wonder how serious that state is about the credibility of the CSCE process. A multi-meeting scenario is neither acceptable nor tolerable. A limited selection of activities is necessary if we are to be serious of purpose and fiscally responsible.

Our selection of activities must ensure balanced progress in the CSCE process. The U.S. delegation and others have tried to make clear the many failures of compliance that continue to constitute the standard practice of some Participating States in the field of human rights. As we move beyond Vienna, therefore, I hope we can agree on activities that will make it easier for individual citizens to pursue their interests and aspirations, in accordance with the rights promised them in the Final Act and the Madrid Concluding Document.

Intersessional activities are not valuable for their own sake but for the contribution they make toward realization of the aims of the Final Act. As we consider the proposals for post-Vienna activities, let us ask whether they will help to solve the problems that have been at the heart of our discussions here. CSCE activities after Vienna should be relevant to our central concerns.

Although the sheer number of follow-up proposals is disturbing -- and the content of too many a mockery of our purpose -- it is quite easy to make a list of subjects on which our citizens could usefully meet, share expertise and information, and develop further initiatives. It is the responsibility of governments to foster an atmosphere in which interested individuals and organizations may conduct such activities independently, without need of official sanction or approval. There are times when governments may choose to support such activities materially -- through funding and participation.

It would not, however, be prudent to conclude that -- in order for the CSCE process to prosper -- there should be meetings under CSCE auspices on every subject mentioned in the Final Act -- and on many that are not. Such an extensive program would not be affordable. It would duplicate what private individuals and organizations can accomplish on their own. It could even detract from one of the greatest achievements of the Helsinki process -- the encouragement of private contacts among individual people at every level.

I would like to call your attention to several specific possibilities for intersessional activity that deserve consideration for inclusion in a balanced concluding document. First of all, we believe that negotiations could resume in order to build upon and expand the results of the Stockholm Conference on confidence- and security-building measures. Clearly, the measures adopted in Stockholm represent a significant advance over Final Act confidence-building measures in the direction of greater openness and increased confidence and security in Europe. We will have more to say on this important subject at the appropriate time.

Second, Western proposal WT. 19 sets forth a far-reaching and integrated post-Vienna system of "new, tangible, concrete, precise and intensive efforts" to improve implementation in the human dimension. The proposal forsees monitoring of compliance by officials as well as by private individuals or groups; sharing of information about implementation; bilateral and multilateral opportunites for governments to discuss human rights and human contacts concerns; and a mechanism for dealing with pressing problems as they arise. These complementary and successive activities would be the basis for continuing action that would culminate in a Conference on the Human Dimension. To prepare for the Conference, there would first be a meeting to assess the system of information sharing and consultations, to review the overall situation with regard to the human dimension, to elaborate concrete measures for imnproving compliance in this area, and to establish a specific mandate, including setting the date and place, for the conference.

WT. 19 provides a variegated mechanism for reflecting the Final Act's emphasis on the human dimension. It is also a flexible mechanism, leaving open the possibility that a Conference on the Human Dimension could have several parts and that such a conference could even be agreed upon at the Vienna Meeting.

Third, Western proposal WT. 45 proposes a forum on information, to discuss problems and issues of circulation, access, dissemination and exchange of information. The freer flow of information is a central concern of the Final Act. It derives from the commitment in Principle VII to respect the individual's right to freedom of thought, conscience, religion or belief. A closely related proposal -- WT. 44 -- and other indications of interest suggest that a post-Vienna meeting of leading personalities in the field of information and communication would be a productive and welcome initiative.

I have stressed these particular suggestions for post-Vienna activity because they would promote the central aims of the Final Act and are consistent with the criteria of relevance and balanced progress. One or two other proposals before us may possess similar attributes and be appropriate as well for inclusion in our concluding document.

The conditions in which post-Vienna meetings take place are also vitally important. Two basic criteria are as necessary as they are obvious. They should apply to all proposals for follow-up activities that have been tabled:

First, wherever we meet in the future -- on whatever topic -- maximum possible openness and access must be accorded to the private individuals, representatives of non-governmental organizations, and journalists who wish to inform themselves and others of the proceedings. Citizens of the host state must have similar access. And media coverage must be unhindered. All these elements have become a traditional and vital part of CSCE meetings. In only one recent case have they not been fully present. There must be no further exceptions.

Second, there should be an organic relationship between the site of the meeting and its subject matter. The host government of a meeting should have not only a demonstrable record of interest in the subject to be discussed, but an exemplary record of performance. A host should be able to serve as an example to others, and thereby contribute to the realization of CSCE objectives and to the credibility of the CSCE process.

Common sense and experience tell us that these criteria are necessary, if not always sufficient, for the selection of sites. While earnest initiatives, proferred hospitality, a professed requirement for automatic rotation, and other arguments may be tempting, they cannot be convincing.

We will apply these criteria to the Soviet proposal for a conference in Moscow on humanitarian cooperation (WT.2), just as we will apply them to the Polish/Austrian proposal for a symposium on cultural heritage in Krakow (WT.6) and to every other proposal for a post-Vienna meeting, including those we are ourselves co-sponsoring.

I have sought to provide a picture both of the American philosophy of follow-up activities and of our views on certain individual proposals. I close with the most important message I have tried to convey: Follow-up activities, if their number is limited and their subject is important, can contribute significantly to the Helsinki process. But they cannot be a substitute for, or a flight from, the fulfillment of obligations which have already been assumed.

STATEMENT BY AMBASSADOR ROBERT H. FROWICK
DEPUTY CHAIRMAN, U.S. DELEGATION

Plenary, April 7, 1987

CONVENTIONAL BALANCE IN EUROPE

Mr. Chairman,

Today I would like to respond briefly to statements in Plenary and the "S" Group on 24 March by the distinguished representative of the Soviet Union, General Tatarnikov. Those statements argue in macro terms that in most key categories of conventional manpower and armaments, the NATO countries allegedly hold margins of superiority over the Warsaw Pact. But he concludes that taking into account differences in structures of respective armed forces and armaments in all of Europe, there exists an "approximate balance." This line of argumentation, in the view of my Delegation, is misleading and even provocative.

This is not the proper forum for a detailed debate on NATO and Warsaw Pact conventional military data, but since the distinguished representative of the Soviet Union has chosen to raise this issue here, we believe we must respond -- to bring back into our deliberations a measure of the realism that General Tatarnikov rightly emphasizes should characterize our assessment of questions as profoundly important as the conventional military balance in Europe.

Of course, the question of information on data regarding the structure and location of military forces in Europe is a pre-eminently CSCE matter. A full and open exchange of such information in our view, should take place in the mainstream of our work on confidence and security-building. Original Western proposals at the Stockholm Conference on Confidence and Security-Building Measures and Disarmament in Europe called precisely for such an exchange. But regrettably the Warsaw Pact member countries categorically rejected this initiative. Any future CDE negotiations would be the proper place for correcting this shortcoming in the results at Stockholm.

Mr. Chairman, the distinguished representative of the Soviet Union is right when he calls attention to the fact that the Atlantic Alliance countries' combined population is about one and one-half times the size of that in the Warsaw Pact states. It is also true that the overall productive capacity of the Alliance is perhaps two and one-half times that of the Warsaw Pact. These simple facts combined with longstanding restraint in the West from utilization of these demographic and material resources to develop overwhelming military advantages over the Warsaw Pact attest to the peaceful intent of the Alliance.

Our objective is the safeguarding of peace and freedom. Thus, NATO's military strategy is based squarely on retaliatory strength. How else can one logically depict a strategy called "flexible response," which serves as the foundation for the entire structure of Allied forces.

On the other side, we note that Warsaw Pact conventional forces are organized, equipped and trained to conduct offensive operations. Their doctrine and exercises continue to emphasize elements of surprise and large-scale penetration of NATO territory.

Mr. Chairman, my Government views as the greatest threat to the security of Western Europe today the enormous size of the standing, in-place forces of the Warsaw Treaty Organization in the center of Europe. Realism requires that we take note of this formidable military presence. In a surprise attack, it matters not how many unmobilized reservists are sitting at home awaiting calls to report for duty. From a Western perspective, deterrence must come from the readiness of the Alliance to meet, at a moment's notice, any threat from wherever it may originate. This is what is meant by "flexible response."

Soviet counting of every single military individual and every piece of equipment possessed by all NATO member states hypothesizes a potential East/West conflict with each side's massive armed forces, fully-mobilized and fully equipped, facing each other and ready to fight at the start of a signal. This is a completely unrealistic scenario aimed at obfuscating Central Region asymmetries. It is a fact, Mr. Chairman, that not one single United States-based American soldier or piece of equipment would be mobilized to augment European forces without an escalation of tension over a period of some time. It is also a fact that under such circumstances Warsaw Pact plans and strategies are to prevent, to the maximum extent of their very considerable capability, any U.S. or Canadian reinforcements from ever reaching European shores.

Let us be truly realistic. In the event of a provocation or conflict, NATO will have to deter aggression with whatever forces it commands in being, in Europe, on the spot. It is the in-place lack of balance that concerns us most -- not what a potential adversary may do some days, weeks or months later.

Mr. Chairman, let us look at this imbalance of conventional forces of the two alliances as they are currently postured. First, with respect to manpower, in the critical Central Front region, the region that would most facilitate an attack from the East, Warsaw Pact divisions outnumber NATO's 78 to 39 -- or an even 2 to 1 ratio. In the Northern region, NATO nations possess only 12 Brigade Groups. Facing NATO in the North are 12 Soviet divisions -- or a ratio of 2.26 to 1 in favor of the East. Only when we look at the Southern Region does NATO with 47.3 divisions slightly outnumber the Warsaw Pact's 43 divisions, giving NATO only a 1.1 to 1 advantage. If you total everything, the forces of the East outnumber NATO 133 to 91.6 divisions, or a 1.45 to 1 ratio favoring the East. The total number of standing military forces available to NATO's integrated command structure is 2.6 million men. The comparable Warsaw Pact figure is about 4.0 million.

As for armaments, the East's advantage in tanks continues at more than 2 to 1, with the Warsaw Pact's 26,800 main battle tanks facing NATO's 13,470. Its advantage in artillery, mortars, and rocket systems is of a similar order of magnitude. NATO continues to have an advantage over the Warsaw Pact in numbers of tactical air-to-ground systems, but still faces a significant numerical disadvantage in air-to-air fighters. Also, the Warsaw Pact has a greater number of hardened shelters for aircraft than does NATO, guaranteeing greater survivability against counterattack.

Mr. Chairman, I shall not go beyond these few figures reflecting the reality which is well known to all around this table in any case. My Delegation presented in the "S" Group a detailed statement on questions of balance during Round I. The point is there is no question that the NATO-Warsaw Pact confrontation of conventional forces in Europe has long included a substantial margin favoring the Eastern side. This remains the situation that we face today.

Thank you, Mr. Chairman.

STATEMENT BY AMBASSADOR WARREN ZIMMERMANN
CHAIRMAN OF THE UNITED STATES DELEGATION
TO THE VIENNA CSCE FOLLOW-UP MEETING

Plenary Meeting

April 10, 1987
Vienna, Austria

I would like to read two recent statements. The first is by the Prime Minister of the United Kingdom, Margaret Thatcher. She spoke for many of us at the Kremlin dinner in Moscow March 30 when she said:

> "The extent to which you, the Soviet government, meet the commitments which you have freely undertaken in the Helsinki Final Act will determine how far other countries and other peoples have confidence in the undertakings which you give on, for instance, arms control."

The second statement is by General Secretary Mikhail Gorbachev at the same dinner. He said:

> "We also hear statements that the West will trust the Soviet arms reductions proposals if the USSR modifies its political system, taking Western society as a model. It is just not serious. To hope that we surrender our ideals at any time means to flee from reality."

These statements reflect the themes of a great debate that is being carried on at many points of East-West contact. All the themes of that debate are present here in Vienna: arms control, human rights, the connection between them, commitments, confidence, trust. We will not settle the issues of that debate in Vienna, but we can hope to understand them better. So let me begin my statement today with an American view.

The American people, like all people, view others through the prism of their own experience. Our Declaration of Independence and our Constitution set forth certain basic human rights. These rights have effectively - though not always perfectly - infused our history. Thus it is natural that we should treat them as important factors in our relations with others. Our closest historical partners have always been those with whom we share the same values.

--Symbolically, that is why Winston Churchill was the first non-American ever to be awarded honorary American citizenship. (As some delegates know, Raoul Wallenberg was the second.)

--And that is why the oldest continuous alliance in the world, with all its ups and downs, is that between the United States and France. It was a French officer -- Colonel d'Aboville -- who took the British surrender at Yorktown.

With this background, it should be no surprise that a deep concern for human rights also affects our view of countries whose political and social systems are different from ours. There is nothing new about this. In 1908 the United States Congress, with only one opposing voice, voted to cut off trade with Tsarist Russia because of that empire's harsh treatment of Jews. Jefferson's words -- that "the care of human life and happiness is the first and only legitimate object of good government" -- have resounded through the centuries in the republic he helped to found.

For Americans, therefore, trust of the Soviet Union in all areas will depend to a considerable extent on the fulfillment of the human rights commitments of Helsinki. Some call that linkage; I call it reality. And that is why Mrs. Thatcher spoke for Americans as well as for her own countrymen at the Kremlin dinner.

At the same dinner General Secretary Gorbachev referred to efforts to persuade the Soviet Union to modify its political system after the Western model. Here at Vienna I know of no such efforts. All the Western efforts here have been to hold the Soviet Union to commitments which it assumed of its own free will. Nobody here has asked the Soviet Union to surrender its ideals; many of us, however, have asked it to live up to them.

By that measure, what can be said as the second round of the Vienna Meeting comes to an end?

-- Major changes are underway in the Soviet Union. How far they will extend and how securely they will endure are still questions without answers. But the direction is clear. It is the right direction -- toward the reduction of restrictions on Soviet citizens. To bring the Soviet Union into compliance with its Helsinki commitments -- and into fulfillment of the ideals referred to by Mr. Gorbachev -- the process which he has so boldly initiated must be continued, enlarged, and institutionalized. I stress the word "institutionalized" because credible mechanisms are essential to ensure that this important process will not be reversed.

Over 100 prisoners of conscience have been released since the Vienna Meeting began. We hope that this welcome beginning will lead to freedom for all those arrested for exercising rights guaranteed them by the Helsinki document. And that they will not be re-arrested. And that others will not be arrested for similar reasons. Other Warsaw Pact countries have released all political prisoners without dire internal consequences. The abolition of the notorious Articles 70 and 190 of the Criminal Code, which have been used against dissidents, would be a sign of institutionalization and of good faith that this progress is intended to be permanant.

--Some victims of psychiatric abuse have been released. We hope the rest will follow. And why not close the psychiatric hospitals under the control of the Ministry of Interior, which administer harmful drugs not even permitted in other psychiatric institutions in the Soviet Union? This, too, would indicate commitment to consolidating positive changes.

--Six Hebrew teachers serving prison sentences were released in the past two months; three remain imprisoned. Surely it is not too much to expect in a changing Soviet Union that Jewish religion and culture -- indeed that all faiths and cultures -- should be genuinely protected by the law rather than harassed by it.

--The Jewish and German emigration rates have begun to creep up. This welcome and overdue trend brought 470 Soviet Jews to Vienna during March. We are also encouraged that the Soviet authorities do not seem to be taking a totally rigid view of the restrictive legislation on entry and exit that went into effect in January. Even the March rate, however, would mean emigration for only 5-6,000 Jews on an annual basis -- only 10 per cent of the peak year of 1979 and only 50 per cent of the average emigration since the early 1970's. In view of the familiar Soviet practice of manipulating emigration figures for political purposes, credible assurances are needed that emigration will continue to rise and will maintain a significant level consistent with demand.

--In the area of family reunification, the period of the Vienna Meeting has seen a 15 per cent rise in resolution of U.S. - USSR divided family cases. Just this week the Soviet delegation presented us a list of 137 cases, involving some 300 persons about whom we had expressed concern last November and who have since then been granted exit permission. Unfortunately this welcome movement is tempered by new refusals -- affecting 70 persons just this month -- and by unreasonable resort to arbitrary disqualification for emigration for reasons of "secrecy." It is time to establish clear, consistent, and reasonable rules on "secrecy" so that a concept which can be valid will cease to be abused.

--Despite considerable public fanfare about withdrawals in Afghanistan, over 100,000 Soviet troops remain there. The only way to prove the sincerity of the frequently expressed Soviet desire to withdraw them is to do just that: withdraw them, all of them.

--Jamming of Western radios in the Soviet Union continues. The unjamming late last year of the BBC's Russian service, which many had hoped would lead to elimination or at least reduction of this pernicious practice, has remained a lonely exception to a rule which is the very contradiction of "openness."

--Finally, I must refer to a matter much in the news these days. Early next week Secretary of State Shultz will arrive in Moscow to discuss such issues of major importance to all our governments as arms control and human rights. Unfortunately, his visit has been clouded by the latest examples of the Soviet Union's obsession with espionage. This obsession is not even validated by the paranoias of the past, and it is wholly inconsistent with the assertions of openness in the present. It is time for the Soviet Union to take action to purge its global reputation of the stigma of secret police omnipotence.

In Eastern Europe, five months after the Vienna Meeting began, some governments still resist fulfillment of their Helsinki obligations:

--The United States remains concerned by human rights violations in Czechoslovakia. In addition to the Jazz Section trial deplored by several delegations here, there has been a significant increase in the number of persons imprisoned for political activities. Merely postponing the trials of human rights and cultural figures will not convince anyone that Czechoslovak adherence to Helsinki commitments has improved.

--We welcome the recent easing of travel restrictions on visits by citizens of the German Democratic Republic to Western countries, as well as an increase in emigration in the last few years. We also welcome many aspects of the GDR's initial implementation of the Stockholm confidence and security-building measures. But we note with concern that problems still remain in the areas of human contacts and the exercise of fundamental freedoms of thought, conscience, religion, and belief.

--We regret that there has been little improvement in Bulgaria's human rights record. The government continues to suppress the ethnic identity of Bulgaria's Turkish minority, to inhibit the free practices of religion, and to punish even the most minor dissent. Bulgarian citizens who signed an appeal to this very meeting were detained by the police.

--And Romania has far to go in fulfilling a number of important Helsinki obligations, including emigration, the treatment of national minorities, and the free practice of religion. Romania'a failure to fulfil its Helsinki obligations, if it continues, can only affect the relationship between our two countries.

We have reached the end of a useful stage in our meeting. Proposals of all delegations have now been introduced, explained, defended, analyzed, and criticized. We have sought areas of convergence and tried to isolate intractable differences. This has been important and necessary work for the critical stage ahead. When we return in May, we should move quickly to the negotiating stage, where the process of give and take can produce an important final document. We should not be prisoners of the clock, but neither should we slow the pace. We adopted July 31 as a target date for ending the Vienna meeting; we should try to meet it.

The United States government believes that the following should be our principal objectives for the remainder of the Vienna meeting:

First, there must be significantly better implementation of the Helsinki commitments, particularly in human rights. Performance remains the keystone of the CSCE process; and improved performance should be accompanied by mechanisms to assure its continuation.

Second, we must aim for a substantive and balanced final document. It need not be as short as the Belgrade document nor as long as the Madrid one; the important thing is its content. The West has put forward, inter alia, the most comprehensive package of proposals on the human dimension ever introduced at a CSCE meeting.

By contrast, Eastern proposals reflect old rather than new thinking. For example, we have analyzed the ten Eastern proposals -- so extravagantly praised by an array of Eastern speakers -- in the area of military security. Nine of them fail to meet two of the four Madrid criteria; they possess no possibilities for verification and they are not militarily significant . In fact, they appear to be largely political/declaratory measures recycled from an unsuccessful career in Stockholm. The tenth proposal -- WT. 1, the Polish initiative in Basket One -- will receive an appropriate Western response.

Third, before we leave Vienna, we should provide for a limited number of post-Vienna meetings focussing on such major issues as the human dimension, information, and military security.

If we can achieve these objectives, the Vienna meeting will have made a major contribution to security and cooperation in Europe. They are bold objectives, but reasonable ones. They would not change any country's political or social system nor would they undermine any country's ideals.

There is a single thread running through all the issues I have referred to today. It is the relationship of the individual to the state. That is the heart of the great debate which was animated by the words of the British and Soviet leaders in Moscow. It is the core of the obligations of Helsinki and Madrid. It is both an ideal and a test of the encouraging new direction in Soviet policy. It is the essence of the Western proposals presented here in Vienna, and it is a necessity for the Vienna Final Document. Finally, it is an essential factor in the policies of the United States at home and abroad. The Austrian political philosopher Karl Popper was referring to this relationship between individual and state when he gave us an epigraph for our era. The great question of our time, he said, is not: "Who shall be rulers?" but: "How can they be curbed?"

BASKET I STATEMENTS

INFORMAL REMARKS DELIVERED BY AMBASSADOR ROBERT H. FROWICK

"S" Group, January 27, 1987

EMPHASIS ON CSCE BALANCE

Mr. Chairman, as we enter Round II of our Vienna Follow-Up discussions, I would like to reiterate considerations which will guide the efforts of the United States Delegation here in the S Group.

The United States, together with its Allies in the Atlantic Alliance, has been preparing seriously, for several years now, for development of a constructive East-West dialogue. We believe realism must be the basis of that new dialogue, within which CSCE will perforce play a central role. As I noted in my last statement before the end of Round I in December, my delegation welcomes the fact that our implementation review has been notably straightforward and thus realistic -- albeit accompanied by occasional stress and strain, in particular on the part of those whose records of implementation are manifestly most delinquent.

Now, here, we have been dealing with questions relating to CSCE security matters on one side and the decalogue of CSCE principles on the other. The question of the balance of the CSCE process is thus especialy joined in the S Group.

My country's view remains as my delegation has repeatedly articulated it since the outset of our work here last Fall: we believe the very success of the Stockholm meeting has left the CSCE process unbalanced, with progress on questions of security overshadowing our collective efforts thus far on Basket III -- and Basket II -- provisions. Especially regrettable is lack of progress on implementing CSCE precepts relating to respect for human rights and fundamental freedoms.

Even with regard to implementation of the confidence-building measures (CBMs) laid out in the Final Act, our experience has been frankly disappointing. We expect implementation of the agreed Stockholm confidence- and security-building measures (CSBMs) tounfold in a much more satisfactory manner than has been our experience with CBMs. Only in this way can we justify moving steadily forward in our mutual acceptance of ever more ambitious CSCE provisions relating to security -- specifically with respect to longterm implementation of the Madrid Mandate.

As for implementation of the principles, my country continues to hold that all the principles should be equally applied -- as the Final Act puts it. If we have concentrated attention on some principles in particular -- e.g. Principles II, VII and VIII -- it is because they have been subjected to the most serious instances of violation. As we enter Round II, my delegation will continue to place a very high premium on respect for all the principles. In this context, we shall persist in our efforts, along with the overwhelming majority of the other delegations around this table -- we note -- to stimulate truly significant improvements in implementation of provisions relating to human rights and fundamental freedoms in particular.

There are grounds for hope that there will, in fact, be significant advances in this pivotally important area of our work. Such progress on human rights, paralleling our advances on security matters, could give a major boost to the vitality of the CSCE process -- and indeed to the pursuit of the constructive East-West dialogue which all of us are presently attempting to develop.

Informal Remarks by Ambassador Frowick in S Group on U.S. Readiness For Dialogue With the USSR

February 3, 1987

Mr. Chairman,

Yesterday, February 2, the distinguished representative of the Soviet Union made a statement in which he questioned the readiness of the United States for dialogue -- especially with respect to major questions relating to U.S.-Soviet arms control negotiations.

I would like to quote from President Reagan's January 27 State of the Union Address on this subject:

"We Americans have always preferred dialogue to conflict, and so we always remain open to more constructive relations with the Soviet Union. But more responsible Soviet conduct around the world is a key element of the U.S.-Soviet agenda. Progress is also required on the other items of our agenda as well -- real respect for human rights, and more open contacts between our societies, and, of course, arms reduction.

"In Iceland last October, we had one moment of opportunity that the Soviets dashed because they sought to cripple our Strategic Defense Initiative -- SDI. This is the most positive and promising defense program we have undertaken. It's the path -- for both sides -- to a safer future; a system that defends human life instead of threatening it. SDI will go forward.

"The United States has made serious, fair, and far-reaching proposals to the Soviet Union, and this is a moment of rare opportunity for arms reduction."

I think attentive observers realize it is the United States that is prepared to move ahead with a dialogue at the highest level with the Soviet Union, and it is the Soviets who are hesitating -- avowedly because of their concerns over SDI. The United States, for its part, is also concerned over the substantial strategic defense research efforts of the Soviet Union over a period of many years. But we do not believe such concern is a plausible reason for avoiding a realistic and constructive dialogue with one another on the major problems confronting us.

Statement by Ambassador Robert H. Frowick on New Proposals

Meeting of the S Group
February 10, 1987

Mr. Chairman:

Western delegations have tabled several proposals in the past week, and this afternoon I would like to focus on two of these proposals of deep importance to my country.

Last Friday, February 6th, the delegation of Italy and several other delegations introduced a proposal on the Freedom of Thought, Conscience, Religion and Belief. As religious belief is the expression of mankind's Spiritual hunger, the freedom to express this belief is the litmus test of respect for human rights. Denial of such freedom, in turn, is a tell-tale indication of a state's attitude toward the other basic human rights enshrined in the Helsinki Final Act.

Former Soviet refusenik, scientist and political prisoner Yuriy Tarnapolskiy, who arrived here from the Soviet Union on January 30 on his way to the United States, observed the other day that perhaps the primary difference between the political systems of East and West is their attitude toward the concentration and diffusion of power. States with political systems which pose what we call "checks and balances" to the exercise of power usually also enjoy a high degree of religious freedom. Other states, characterized by a monopoly of power in the hands of a relatively small elite, regard religion as a threatening competitor. The same concentration of power which creates hostility toward religion in these states usually results in disdain for other human rights as well. CSCE obligations which enhance respect for freedom of religion among the participating states, therefore, also make increased respect for other rights more likely.

My delegation believes that observance of the principle of "Freedom of Thought, Conscience, Religion or Belief" as set forth in the proposal of last Friday will increase the possibility that the provisions of the Helsinki Final Act and Madrid Concluding Document on freedom of religion will result in concrete actions by all participating states.

As stated in the proposal an individual may "either individually or in community with others, and in public or private,...manifest his religion or belief in worship, observance, practice, teaching and study." The rest of the text elaborates on this statement, in terms of the prevention and elimination of discrimination based on religious belief; formal recognition of the status of religious groups; respect for religious education, the establishment and maintenance of houses of worship and freedom of access to them and to other places of religious significance; the establishment of contact with fellow believers in other countries; the production and use of religious paraphernalia, including publications; use of the media by religious groups, participation in religious processions; the solicitation of voluntary financial contributions; and, last but not least, the appointment and training of religious leaders.

The inclusion of all these points naturally raises the question: Why? Unfortunately the policies of some of the states participating in the CSCE process -- those with a high concentration of state power -- is testimony to state intolerance of the individual's religious preference. And, as the distinguished Danish representative eloquently observed during the "S" Group meeting on February 5, respect for the individual must be the basic value of our societies, if international peace and security are to be maintained.

To be more specific on the need for our proposal, we would ask why the Soviet Union regards Soviet Jews as troublemakers, if not criminals, when they wish simply to observe Jewish rituals, study Hebrew, and Jewish history and culture, and, in general, freely practice their religion? Why are dozens of religious leaders, including Baptist pastors, mullahs, Catholic priests, Orthodox churchmen, imprisoned solely for their religious activity? Why is the Kharkhov synagogue still being used as a gymnasium? Why are the Ukrainian Catholic Church and the Jehovah's Witnesses proscribed? Why are Evangelical sects, forced underground? Why are Soviet Muslims denied an adequate number of mosques and religious schools and prevented from freely undertaking the pilgrimage to Mecca?

The record of some other participating states is, Mr. Chairman, only slightly better. Why, for instance, has Bulgaria forbidden certain Islamic practices, including religious burial rites? Why I regret to ask has Romania refused to allow the importation of religious publications and circumscribed the ability of visiting religious leaders to make contact with Romanian citizens? And why, as reported in the Czechoslovak press in 1985, were three Slovaks sentenced for having attempted to import religious materials from Poland? These Slovaks were not smuggling stolen materials, but were acting in accord with the provisions of the Final Act. Why, too, has Czechoslovakia prevented the Roman Catholic Church from filling the 10 of the country's 13 bishoprics, which are still empty?

I could cite many more examples, but the above are sufficient to illustrate my point: the reason for our proposal is that the record of some participating states is still grievously deficient in regard to religious rights.

The next proposal I would like to address concerns freedom of movement. Throughout this conference, my delegation has spoken at length about the importance of guaranteeing the right to leave one's country. This theme is central to the proposal introduced this morning, but only addresses half the equation. As is stated in the proposal, we also seek to ensure the right to return to one's own country.

In the past several months, Soviet officials have staged press conferences featuring former Soviet citizens who have decided to return to the Soviet Union. On the eve of their departure to return, these emigres outline their disenchantment with Western life. The granting of permission to Soviet emigres to return to the Soviet Union, even those who can be relied upon to denounce the West, is a relatively new phenomenon. Far from seeing this development as evidence of something amiss in the West, we view it as a statistical inevitability that, when hundreds of thousands of people depart from a country where they have spent their entire lives, some few will choose to return. We welcome the Soviet decision to allow these people to return to their country, a decision which in our view was long overdue.

At a press conference here in Vienna this past Friday, a small number of Soviet emigres stressed that they have waited many years to return to the Soviet Union. Why have they been forced to wait all this time? Samuel Zivs, Deputy Chairman of the Soviet Lawyers Association, responded that bureaucratic obstacles to their return arose as a result of their decision to renounce their Soviet citizenship at the time of their emigration. What Mr. Zivs did not say is that they were compelled to renounce their citizenship as a prerequisite to departure, and therefore it was the Soviet government itself that created the obstacle to their return.

Mr. Chairman , the right to freedom of movement and the right to freedom of thought, conscience, religion and belief are two fundamental freedoms to which all our governments committed themselves in the signing of the Final Act. The proposals we have endorsed today give us all another chance to live up to those commitments. We hope that these proposals will be endorsed and fully respected by all the states participating in this body.

Mr. Chairman, this morning Ambassador Zimmermann delivered a moving tribute to his friend Inna Meiman, whom he knew during his service at our Embassy in Moscow and who died last night in Washington. I shall not try to emulate his eloquence here. However, on this the last day of her life, I cannot help thinking of how the tragedy of her death poignantly focuses on the problem with which we are dealing. Had there, been freedom of movement from the Soviet Union, had alleged sanctity of respect for "national laws and regulations" not become a perversion at the service of totalitarianism, had there been room simply for compassion, then Inna Meiman could have travelled to the West many months ago, and there seems a strong chance that she would be alive today.

Inna Meiman's fate epitomizes a serious challenge to CSCE -- namely the inhumane application of authoritarian state practices relating to freedom of movement and other fundamental freedoms which we in the Vienna Meeting, especially those of us dealing with Principles, must do our best to ameliorate.

Thank you, Mr. Chairman.

PRINCIPLES STATEMENT BY AMBASSADOR ROBERT H. FROWICK
DEPUTY CHAIRMAN, UNITED STATES DELEGATION
TO THE VIENNA CSCE FOLLOW-UP MEETING

Meeting of the S Group
February 16, 1987

Mr. Chairman,

Today I would like to say a few words about several proposals some of which have been introduced by my delegation in the plenary sessions. First, I would like to address the proposal concerning the contribution of individuals and groups to the CSCE process which, along with a proposal on persons in confinement, was introduced by my delegation last Friday.

The aim of proposal WT-38 is the protection of citizens, who are actively trying to improve their country's compliance with its CSCE human rights commitments. This is a matter of central importance to the continued public and moral relevance of the CSCE process. Indeed, Mr. Chairman, I think I am correct in saying that there is no better barometer of fidelity to the lofty goals of CSCE than the way each of our governments treats unofficial monitoring and other human rights groups.

One important provision of this proposal is that participating states will "publish all laws, regulations and procedures relating to human rights and fundamental freedoms" in the CSCE. Secret laws and procedures almost ensure arbitrary state actions. Indeed, they likely assure the arbitrary rule of one man -- or one party -- but not of law.

Another important provision of this proposal is the pledge to "remove any existing legal or administrative impediments that prevent individuals, independent institutions and organizations from monitoring" CSCE implementation. At the Belgrade Meeting and at the Madrid Meeting and here in Vienna many delegations have strongly criticized the persecution of citizens in several participating states who have peacefully sought to ensure improved governmental compliance with CSCE human rights pledges.

Tragically, Mr. Chairman, many brave men and women are still suffering today for their commitment to the noble goals of the Helsinki and Madrid documents as was pointed out by my delegation last Friday. The real measure of compliance will come only when the monitors -- and all other peaceful human rights advocates -- are free from any form of state harassment.

In recent weeks, Mr. Chairman, we have heard that a major restructuring of the Soviet criminal code is underway. In this connection, I would like to mention one law which has been used against members of the Helsinki Monitoring Groups in the Soviet Union.

I have in mind the 1932 Law on Public Associations which essentially bans any organization or group which is not sponsored by the communist party. If I may suggest so, this law seems to be a prime candidate for radical restructuring. Indeed, Mr. Chairman, another provision of the proposal under discussion calls on participating states to "repeal any existing legislation that renders such (monitoring) activities illegal."

Mr. Chairman, at this point I would like to turn to the other proposal introduced by my delegation last Friday -- the proposal on persons in confinement. The provisions of proposal WT-39 are designed to protect prisoners from the arbitrary rule of law, from high-handed prison officials, and cruel punishment, including psychiatric abuse.

One important provision of this proposal commits participating states to "take all necessary measures to ensure that no one shall be subjected to arbitrary arrest, detention or exile." In recent weeks, we have heard reports of some two hundred early releases of Soviet prisoners of conscience. That is surely a sign of movement in the direction which we can all welcome. We shall be watching this trend very carefully.

However, at the same time, I am troubled, Mr. Chairman, because it seems that these political prisoners not only must admit guilt -- which, as I understand it, is automatic when one requests pardon -- but that they must also sign statements that they will no longer engage in so-called anti-Soviet activities. For, unless the criminal code is reformed -- not just revised -- so as to eliminate "anti-Soviet agitation and propaganda" and "anti-Soviet slander", these prisoners of conscience will live in the USSR with a veritable sword of Damocles hanging over them.

The provisions of this proposal, Mr. Chairman, are meant to ease the plight of all prisoners. One provision, for example, would reduce the length of incomunicado detention to a minimum. Another provision would permit observers to legal proceedings. Public access is one of the best insurances against arbitrary trials. Over the years, many American diplomats in the USSR have requested access to court proceedings in the Soviet Union -- usually to no avail.

Finally, Mr. Chairman, this proposal has a provision which commits participating states to "protect individuals from psychiatric practices that violate human rights and fundamental freedoms." The World Psychiatric Association has repeatedly called for an end to the abuse of psychiatry in all of the participating states. From our implementation review we all know the details of this problem and where it is prevalent.

My delegation also has the honor to co-sponsor the proposal on "National Minorities", WT-27, introduced on February 12 by the distinguished representative of Canada. My delegation has already expressed our support of this proposal in a plenary session.

If all participating states were to safeguard the rights of national minorities in accordance with their Helsinki pledges, there would be no need for new proposals in this area. Unfortunately, as the record makes clear, such is not the case. And, since the essence of a minority is its culture, this proposal primarily addresses itself to minority cultural rights in an effort to make the participating states' obligations more specific and to end specific abuses.

Present policy on national minorities in several participating states clearly reveals a dire need for corrective action. We regret to note that Bulgarian authorities have been engaged for over a year in a campaign of forced assimilation of Bulgaria's large Turkish minority. There are serious minority problems in the Soviet Union as well. In theory, the Soviet Constitution provides for the voluntary secession of any Union republic. In practice, anyone advocating the exercise of this constitutionally-guaranteed right risks his freedom, if not his life. Levko Lykyanenko, for example, is still serving his second fifteen-year term for having advocated holding a referendum in the Ukraine on secession from the Soviet Union. Others imprisoned for advocating improved cultural rights for their peoples include Lithuanian Viktoras Petkus and Ukrainian Yuri Shukhevych. Tragically, Yuri Shukhevych has spent nearly his entire adult life in prison for steadfastly championing the kinds of rights that are set forth in the Helsinki Final Act and Madrid Concluding Document. His is a case that truly requires compassionate attention.

While we welcome the reported release of Ukrainian nationalist Danylo Shumuk and Lithuanian activist Vyautas Skuodys, we hope that other imprisoned nationalists will soon follow.

The final proposal I want to mention today is WT-19 -- a proposal on the Human Dimension of the Helsinki Final Act. My delegation is a co-sponsor of this proposal along with many other delegations. We believe its adoption could lead to a significant improvement in the implementation of the human dimension provisions of the Final Act and the Madrid Concluding Document -- provisions included both in the decaloque of principles and in Basket III. This proposal provides for a series of steps and mechanisms leading up to a Human Dimension Conference which puts progressive pressure on all participating states to live up to their freely-entered human dimensions commitments. It does not guarantee positive results -- but it does make it considerably more difficult to evade these commitments. Consequently, dealing with our past commitments and thus having an enormous impact on possible future commitments, this proposal has primary significance for our meeting.

In conclusion, Mr. Chairman, I submit that these proposals go to the heart of the CSCE process. The first proposal on the contribution of individuals and groups further expands on their valuable role. The second proposal on persons in confinement tries to lessen the abuses of state power in relation to prisoners. The third proposal on minority rights attempts to safeguard the individual's cultural heritage. The fourth proposal calls for the creation of machinery to ensure compliance with our obligations in the human dimension area of the CSCE. Together, they provide a powerful stimulus to all participating states to honor their obligations in the human dimension of the CSCE process. Lack of success in this area could make progress in other areas much more difficult, if not impossible to achieve.

AMBASSADOR ROBERT H. FROWICK
DEPUTY CHAIRMAN, U.S. DELEGATION

STATEMENT TO THE "S" GROUP ON POSTAL AND TELEPHONE COMMUNICATIONS

February 19, 1987

Today I would like briefly to address an important subject about which my delegation has already spoken in Plenary session, namely Proposal WT.74 concerning respect for the privacy and integrity of postal and telephonic communications. This proposal relates to pledges in the Helsinki Final Act under Principles VII, IX, and especially X -- fulfillment in good faith of international obligations.

This is an issue of keen, continuing interest in my government and my country. I recall the United States Delegation's raising it at the Belgrade Follow-Up Meeting nearly 10 years ago. Presently, within my government our Postmaster General, Mr. Tisch, and Congressman Benjamin Gilman devote a great deal of time and attention to this matter.

As we have said, the value of this proposal is that it addresses a problem which seems so ordinary that it hardly needs to be addressed. That, Mr. Chairman, regrettably is an illusion.

In several of the participating states, governments have abrogated the right to oversee their citizens' choice of reading material and choice of correspondents and even of their choice of partners in telephone conversations. One might say that nothing, in fact, is more important to building and preserving the fabric of CSCE as free and unfettered communication among the members of our societies. Such communications should be a natural component of the constructive dialogue we are attempting to develop.

Yet, Mr. Chairman, I regret to say that ordinary communications -- be they written or telephonic -- have been precisely the favorite target of governments which seem to fear them.

Should the proposal under discussion be adopted, it would address the very abuses of governmental paternalism to which I am referring here. First and foremost, all participating states would have to agree to commit themselves to freer communications. That is the essential first step and all others follow on it. Indeed, Mr. Chairman, the structure of the proposal echoes that realization.

In closing, I want to reemphasize the importance that my delegation and many others here attach to this proposal. Observance of the provisions of WT.74 would go far to bring us all closer to the CSCE ideal of a better and freer world for ordinary men and women -- not just for governments.

Thank you, Mr. Chairman.

STATEMENT BY AMBASSADOR ROBERT H. FROWICK
MEETING OF THE "S" GROUP

March 10, 1987

Mr. Chairman,

Today I would like to comment briefly on General Secretary Gorbachev's February 28 statement "that the Soviet Union will no longer insist on linking agreement on reductions on INF to agreements in other negotiations." It seems appropriate to set forth the United States' views on this question in particular since the distinguished representative of the Soviet Union presented his country's views on the matter in plenary session March 3.

This Soviet initiative removes a serious obstacle to progress toward INF reductions and is consistent with the understanding which Mr. Gorbachev and President Reagan reached at their 1985 summit meeting in Geneva -- that is to say that both the United States and the Soviet Union would seek an agreement on INF separate from other arms control negotiations.

Since President Reagan's initial proposal of November 1981, the United States has pursued deep, equitable and verifiable reductions on land based U.S. and Soviet longer-range INF missiles with the steadfast objective of their complete global elimination.

Most recently, the United States has prepared a detailed treaty text to implement these agreed objectives and to follow the specific formula on which General Secretary Gorbachev and President Reagan agreed at the meeting in Reykjavik last October.

This agreement, familiar to all present in this group, called for reductions to an interim global ceiling of 100 warheads on U.S. and Soviet longer range INF missiles, with none in Europe, along with constraints on shorter range INF missiles and provisions for effective verification. The United States remains firmly committed to these objectives. At the same time, the United States agrees with the view of many European governments that progress toward possible INF reductions underscores the need for progress toward a more stable balance of conventional forces in Europe.

Having long sought progress in this area, therefore, we welcome the statement by General Secretary Gorbachev last Saturday.

United States negotiators at the Nuclear and Space Talks in Geneva last week presented our draft INF treaty. We hope the Soviet Union will now proceed, with us, to serious discussion of details, which are essential to translate areas of agreement in principle into a concrete agreement. Of important issues which remain to be resolved, none is more important than verification.

Mr. Chairman, it is important to keep a sense of perspective with respect to these latest welcome developments on the INF issue. In this regard, I should like to call attention to remarks last week by United States NST Ambassador Max Kampelman.

Ambassador Kampelman noted that the Soviet proposal is not a new one. He illustrated this by saying that if someone puts a boulder in the road, you are very grateful when he removes the boulder and permits you to go forward. But you should not ignore the fact that this boulder had been put in the way as an obstruction to progress. Ambassador Kampelman remarked that the position the Soviets are now taking is one on which both the United States and the Soviet Union had earlier agreed. The Soviets then decided to link INF with the space negotiations but have now decided once again to treat INF separately. We are pleased with this latest Soviet decision. This is not a new proposal, but we do welcome the Soviet move.

STATEMENT BY AMBASSADOR SAMUEL G. WISE
ON PERSONS IN CONFINEMENT

In the S Group
March 16, 1987

Mr. Chairman, today I would like to return to a proposal which is of fundamental importance to my government--WT. 39, regarding persons in confinement. As we stressed earlier, our delegation continues to closely monitor latest developments in order to determine the form such a proposal should take, and indeed, the purpose it would serve. The lessons of the past, including those of the past several months, have taught us that despite important developments in some of the participating states, this proposal remains critical to improved implementation of our commitments

Since the convening of our conference, there have been dramatic improvements in the fate of prisoners of conscience in some participating States. In the Soviet Union, for example, we have witnessed the release, although not the amnesty, of political prisoners on a scale not known since the 1950s. And we have been heartened by the return from exile of Andrei Sakharov and Yelena Bonner. Whatever the motives which lay behind these and other developments, we applaud them. We fully accept the argument that these changes were made for internal Soviet reasons.

At the same time, I am sorry to say that along with these positive developments, we have identified some disturbing trends as well which demonstrate the urgent and continuing need for our proposal WT. 39 regarding persons in confinement.

The centerpiece of this proposal is the undertaking by the participating states to ensure that "no one shall be subjected to arbitrary arrest, detention or exile." Until this provison is observed in full, the problems of false arrest will be with us and will undermine our efforts to advance the Helsinki process. We believe that much work remains to be done in this area.

As I indicated last Friday in plenary, my delegation deeply regrets the decision of the Czechoslovak government to bring members of the Jazz Section to trial on charges of operating an illegal enterprise and publishing for profit. We also condemn the convictions handed down, although we noted that the sentences could have been worse. While the Czechoslovak government maintains that these are economic crimes, we consider the Jazz Section members as activists for independent cultural expression and regard the conviction against them as political.

We also note that while many prisoners in the Soviet Union have been released in the past several months, many more inexplicably remain incarcerated. We have reports, for example, that not one prisoner has been released from the notorious special regime labor camp, number 389/36-1. Most of the prisoners in this camp, such as Mart Kiklus and Vyautus Petkus, are serving second sentences on charges of "anti-Soviet agitation and propaganda." Many other prisoners, such as Vladimir Lifshits, who is interned in in a Kamchatka labor camp, and Tengiz Gudava, who remains in a Tiblisi prison, have not been released reportedly because of their refusal to sign a pardon request in which they must pledge that they will not engage in "anti Soviet activities" in the future. Is it too much to ask whether the new approach of the Soviet leadership to these matters cannot be extended to these individuals as well?

We also wish to call attention to the fate of a group of six human rights activists in Bulgaria who signed an appeal in January of this year to the signatory governments of the Helsinki Final Act pressing for human rights and fundamental freedoms in Bulgaria. All of these activists were detained and interrogated for exercising this basic right, and one of them, Grigor Bozhilov, remains incarcerated.

WT. 39 also includes a provision that encourages the "reasonable access of relatives and friends in privacy to individuals under detention." It also encourages governments to increase "the opportunities for private individuals and representatives of non-governmental organizations to visit detainees and prisoners." In addition to guaranteeing the fundamental right of family access to prisoners, the proposal provides for verification of the status of prisoners by interested organizations. Such verification would prove invaluable to the work of this body and many others, in gauging trends such as those we have been watching in the Soviet Union for the past several months.

The implementation of this proposal would also render much less likely the possibility that a person in confinement could be made to disappear. This is the fate that apparently befell Sergey Khodorovich for a period of several weeks. Mr. Khodorovich is the imprisoned chairman of the Solzhenitsyn Fund and one of the pioneers in providing humanitarian aid to prisoners in the Soviet Union. From December until March, the only news that Mr. Khodorovich's wife received from her husband was the disquieting message from a camp commander that Mr. Khodorovich is "practically healthy." She has since received a telegram from him assuring her only that he is now fine." We hope that healthier conditions for this brave humanitarian can be found outside of a prison camp.

Another important provision of WT. 39 is designed to "protect individuals from psychiatric practices that violate human rights." While we are encouraged by the releases of Soviet citizens Anatoliy Koryagin and Serafim Yevsukov from psychiatric institutions, we are disturbed to note that the sons of both men are still in prison camp, perhaps as punishment for the alleged sins of their fathers. Of equal concern is the fate of many others confined to psychiatric hospitals who have not been the beneficiaries of "new thinking." We would welcome information on Trust Group Members Nizametdin Akhmetov, Vladimir Gershuni, and Anatloiy Cherkasov,and labor activist Egor Volkov. These and other cases demonstrate the clear and pressing need for WT. 39.

We hope that the inclusion of WT. 39 into a final document of this meeting will lead to an end of abuses in these areas and to full compliance with Helsinki commitments by all participating states. We recognize that such a transition, particularly in some countries, will not be easy.Nonetheless, we urge that every effort be taken to release all prisoners of conscience and to ensure that those released not endure unnecessary hardship in their reassimilation back into society. Attention to this latter problem might alleviate the difficulties that some released Soviet prisoners have encountered recently. We have learned, for example, that former prisoner Roald Zelichonok has been blocked in his efforts to receive a Leningrad residence permit.

Mr. Chairman, as we proceed in the Vienna meeting, we will continue to scrutinize the compliance of all participating states, including our own, in the area concerning persons in confinement. We can only hope that the positive trends that we have noted will grow to the point where the main value of our proposal will be to acknowledge the status quo. In CSCE terms, that will be a real achievement. Thank you.

Statement by Ambassador Robert H. Frowick on Freedom of Thought, Conscience, Religion or Belief

In the "S" Group
March 24, 1987

Mr. Chairman:

A lively, if not always fully constructive discussion of the reams of proposals before us, is presently getting underway. Like others we would like to contribute to this discussion today on an issue of importance to the United States government--freedom of thought, conscience, religion or belief. The sheer volume of proposals and diversity of sponsors dedicated to this area of our work testifies to the high priority that should be given to this fundamental human right.

Earlier, on February 10, I addressed this issue before the "S" group in the context of discussion on proposal Wt. 21, which has been co-sponsored by my government. At that time, I stressed that the present need for consideration of this matter stems from persistent violations on the part of some participating states. I listed some of the serious violations still committed today. To save time, in part to permit comment on some of the other proposals, I will not now return to this list. But I do wish to stress that my government has seen discouragingly few indications of improved compliance in this area since the work of our conference began.

We have perused the proposals submitted thus far--Wt. 10 sponsored by the Holy See, Wt. 12 sponsored by Austria, Wt. 21, and Wt. 78 sponsored by Bulgaria, Czechoslovakia and the Soviet Union. And we have closely followed the statements made by our colleagues--most recently those of the distinguished representatives of Italy and Norway. We are encouraged that proposals Wt. 10 and 12 reflect a manifest commitment to promote freedom of thought, conscience, religion or belief. It will surprise few in this room to learn that our government will strive for as strong and precise a text as possible. That is the sense of our proposal. With that goal in mind, our proposal has guidelines which will actively involve our governments in "fostering an atmosphere of tolerance and respect."

All three proposals address the critical need to prevent and eliminate discrimination against individual believers and religious communities and to guarantee the freedom of the individual to give and receive religious education. In addition, wherever possible, we will highlight the need to spell out the obligations of participating states, such as that on the freedom of parents to pass on their religion to their children, on free access to places of worship and on the granting of status to religious communities. I stress again, however, that both Wt. 10 and Wt.12 embody the same genuine spirit of tolerance and respect for religion which we, and our other cosponsors attempted to instill in Wt. 21.

We are frankly concerned, however, that this spirit does not reign throughout the participating states. We have closely examined proposal Wt. 78, and we note, as did our Italian and Norwegian colleagues, that the intent of the proposal seems more to circumscribe the freedom of religion than to expand it. How else can we understand a proposal that states the "right of every person to profess any religion or none, to engage in religious worship or engage in atheistic propaganda?" We can only infer from such a formulation that one would have the right to worship, assuming one had received the religious training, but not to preach to others. The right to propogate seems reserved to atheistic teachings only. Would this not, Mr. Chairman, create an inevitable and unfair struggle between believers and non-believers? Would such a text be in the spirit of a "Conference on Security and Cooperation in Europe"?

It seems clear, Mr. Chairman, that if one is granted only the right to "worship" one's religion, not to propagate it, then religious practice will perish with the last generation of the initiated, the knowledgable. Allow me to illustrate my point, Mr. Chairman, by completing a picture, regarding the teaching of Hebrew in the Soviet Union, that received only a few brushstrokes in a plenary session last week. This is but one of many examples that could receive attention in our work here.

The fundamental prayer in the Jewish religion is comprised of the words "Hear O Israel, the Lord our God the Lord is One." The author of this prayer would surely not have envisioned a day when the Israel to which he calls, the Jewish people, could not understand this entreaty because they are not allowed to teach their language. By eliminating one sentence from the structure of a religion, the entire foundation can begin to collapse.

There is not one elementary or secondary school anywhere in the Soviet Union, where a school-age child can learn the Hebrew language. In fact, as we have noted before, the mere teaching of Hebrew can provide--and has provided--the pretext for criminal conviction and a labor camp sentence. We are very encouraged by the recent release of some imprisoned Hebrew teachers, but we remain troubled by the continued incarceration of the rest, such as Yosef Berenshteyn, Aleksei Magarik and Yuli Edelshteyn.

As the distinguished Soviet delegate noted last week, Soviet citizens, or more accurately those privileged enough to be permitted into a university program, are able to study Hebrew in a handful of cities. But we emphasize that this is at the college level, not at lower school levels. If some participating states see the teaching of Hebrew and other religious instruction as inappropriate in the state-sponsored schools, they at least ought not to prevent this education on a private basis.

Mr. Chairman, Wt. 10, Wt. 12 and Wt. 21 establish the right to practice any religion, and the right to practice no religion, on an equal footing. Wt. 78, however, includes a proposal to "prevent the propagation of religious exclusivity where it occurs." In contrast, the text makes no mention of preventing atheistic exclusivity. Mr. Chairman, my country simply cannot accept a formulation that establishes atheism as more equal than others among differing beliefs and religions. We are concerned, therefore, that Wt. 78 inclines toward such a conclusion. Like others we too would welcome clarification by the sponsors of the passages which we have raised.

Thank you, Mr. Chairman.

Statement by Ambassador Robert H. Frowick

Drafting Group "S"
March 26, 1987

Mr. Chairman:

Today, I would like to address important human rights considerations relating to freedom of movement. As we have had occasion to observe during previous meetings of this group, the record of some participating states on this significant issue leaves much to be desired.

With keen interest, we note and welcome indications that Jewish emigration from the Soviet Union has begun to increase this month. Whereas 98 and 146 Soviet Jews left the Soviet Union in January and February, respectively, approximately 330 did so between March 1 and March 20, suggesting a monthly total of some 400 or more. There have been a number of Soviet statements in various fora suggesting that emigration levels will indeed rise throughout 1987, and we strongly hope such will be the case. However, as Secretary Shultz cautioned in a March 24 speech, this increase in Jewish emigration "comes against a dismal backdrop of six years of very low levels of emigration."

There are indications that this increase is restricted under the new Soviet emigration laws to those Soviet Jews who have immediate relatives residing abroad. As Secretary Shultz noted in the speech cited above, "There is also a right to freedom of movement which applies whether or not someone has relatives in another country." What the Secretary had in mind in making this comment, of course, is that provision of the Universal Declaration of Human Rights providing for the right of each person freely to leave and to enter his own country.

Mr. Chairman, the case of Fedor and Liliya Finkel is a poignant example of flagrant denial of this basic right. A former member of the Free Inter-Professional Workers' Association (SMOT), Finkel and his sister Liliya have been conducting a hunger strike in Moscow since February 17 in protest against denial of exit permission for Finkel's wife Svetlana Mayatnikova, suffering from several benign tumors which doctors have warned may become malignant at any time. The Finkels have applied for permission to emigrate to Israel, where they have immediate relatives. When they failed to hear anything from the Office of Visas and Registration (OVIR) within sixty days of applying to emigrate, Fedor and Liliya Finkel in desperation resorted to a hunger strike to dramatize their plight. We all remember the tragic case of Inna Meiman and earnestly hope that Svetlana Mayatnikova will not suffer the tragedy of Inna Meiman. We accordingly call on Soviet authorities favorably to resolve this case both in accord with their Helsinki obligations and in accord with the fundamental demands of humane treatment of their fellow human beings.

The right of a person to enter or leave his own country is a right mandated by the Helsinki Final Act in its incorporation of the provisions of the Universal Declaration of Human Rights. In an evident attempt to distract our attention from the obligation each participating state has in this regard, some delegations have been stressing a putative right of entry into receiving countries. No such right exists under the Helsinki Final Act. Its language is clear: "the participating states intend...gradually to simplify and to administer flexibly the procedures for exit and entry," nothing more. My country is proud of its record of entry of foreigners despite occasional denials of permission to enter the United States for very compelling reasons. We are in fact a nation of immigrants.

Rather than propose new obligations in the area of freedom of movement, we emphasize the central, prime importance of compliance with existing obligations. In this regard, we are carefully studying the Canadian, Swiss, and Austrian proposal on entry/exit (WT. H.5) which stresses the fundamental right of a citizen to enter and to leave his own country and each participating state's obligation to facilitate entry. WT. 83, tabled by Bulgaria, Czechoslovakia, and the USSR, equates exit and entry throughout and is something of a rehash of a proposal submitted at Bern which did not appear in the neutral compromise draft. The language on simplifying procedures and processing of travel documents, as noted above, already appears in the Helsinki Final Act. The language on shortening visa issuance time is also inappropriate, since visa issuance in the West is not unjustifiably long.

WT. 93, submitted by Austria and Sweden, also contains much with which we can readily agree. The language on "more distant relatives," however, is problematic for entry cases, unless it is clear that the true purpose of a visit is for family reasons as specified in the proposal's preamble. And its language on dealing "favorably with the applications of members of the acting working population" is of concern to us since some Western countries cannot obligate themselves in advance to admit whole categories of people. Finally, the language on issuance of multiple visas, although attractive in principle, may be difficult in practice, since it does not note whether exit or entry visas are in question.

WT. 100, tabled by the German Democratic Republic, Bulgaria, and Romania, also attempts to establish a firm "right" to enter but is even more restrictive than Eastern proposal WT 83 and poses serious security questions.

WT. 103, tabled by Hungary, contains positive aspects but again suggests a right of entry by positing a "close and complimentary link" between exit and entry.

We have offered these preliminary comments on some of the other proposals on freedom of movement in an attempt to enunciate some of our concerns. Our problem with all, in whole or in part, is the attempt, explicit or implied, to posit a virtually absolute right of entry. As has been demonstrated at the Vienna meeting, the language of the Helsinki Final Act does not establish such a right. Mr. Chairman, we believe that persistent misinterpretations of existing obligations serve only to distract us from failure to comply with existing ones.

Thank you, Mr. Chairman.

STATEMENT BY AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
ALLEGATIONS ON U.S. POLITICAL PRISONERS

S GROUP
March 31, 1987

Mr. Chairman:

We have repeatedly stated our desire to promote a constructive dialogue at this conference. By constructive, we mean a dialogue leading to fuller implementation of our commitments under the Final Act. On occasion, we have expressed our concern about specific cases in some participating states. We will continue to do so -- but not to place other states before a "tribunal", as one of our distinguished colleagues has suggested. Rather, we strive to expose violations of Helsinki commitments from whatever quarter in order to call for the restoration of the rights of our people, and in order to identify the general areas where we must redouble our efforts.

With this goal in mind, I raised a number of cases of prisoners of conscience in the Soviet Union and Czechoslovakia on March 16 in order to illustrate the need for the Vienna Conference to adopt WT.39. In response, the Soviet delegate named several cases of alleged political prisoners in the United States.

I understand that the Soviet delegation raised some of these same cases in the plenary today, noting the lack of a U.S. response. I welcome this renewed expression of Soviet interest in WT.39 which we have already heard from the Soviet delegate in this group. I would like to respond to the allegations of the Soviet delegation today. But let me establish clearly that I do so not with the intention to provoke, but to share information of concern to our work here. I trust that my Soviet colleague will do likewise with the many cases we have raised, much as the Czechoslovak Ambassador provided information relevant to the concerns of many states about the trial of the Jazz Section members. If the Soviet representative has forgotten the cases I raised, I will be pleased to remind him and to provide him with many more.

Allow me to begin with a response to our Soviet colleague on the cases he raised of so-called political prisoners in the United States.

1) Leonard Peltier--Mr. Peltier was convicted by a jury in the United States District Court of South Dakota on June 25, 1975 for the brutal murders of two FBI agents. In 1978, he appealed his conviction to the Eighth Circuit Court of Appeals, and the court affirmed it on September 14, 1978. The court denied a motion for rehearing on October 27, 1978 and again in May, 1986. Mr. Peltier, having been recaptured after an escape attempt, is serving two life sentences.

2) Dennis Banks--Mr. Banks was convicted in South Dakota courts in 1975 on charges of arson, riot and assault stemming from a 1973 incident in Custer, South Dakota. In 1976, Mr. Banks fled to California while released on bail. In 1978, the Supreme Court of California held that the California Governor's refusal to extradite Banks to South Dakota was constitutional. Today Mr. Banks is free.

3) Elmer "Geronimo" Pratt--Mr. Pratt was convicted of conspiracy and possession of illegal weapons following a four-hour shoot-out between Los Angeles police and Black Panther activists in 1969.

In 1972, Pratt was convicted of murdering and robbing a woman from Santa Monica and was sentenced to life in prison. Mr. Pratt's appeal to the California Supreme Court was unsuccesful. The case is still pending due to a request for a new trial.

4) Johnny Harris--Mr. Harris was sentenced in 1971 to five consecutive life sentences after pleading guilty to one count of rape and four counts of robbery. While serving this sentence, Mr. Harris was sentenced to death for murdering a prison guard.

5) Helen Woodson, Paul Kabot, Carl Kabot and Larry Cloud-Morgan--These four individuals were convicted on charges of "damaging government property" after they attempted to break into an inter-continental ballistic missile site near Kansas City with a jackhammer. Carl Kabot is serving a sentence of 18 years, Helen Woodson 12 years, Paul Kabot 10 years, and Larry Cloud-Morgan 8 years.

We have reviewed the other names that, upon our request, the Soviet delegation provided, but we have been unable to identify them. If our Soviet colleagues can provide more information, perhaps we can explain the other cases as well. We hope that the Soviet delegation will respond in kind to the cases we have raised. But I will emphasize again that we intend this to be a constructive exercise, not a finger-pointing session. Nevertheless, I must underscore the obvious difference in the cases raised by my delegation and those brought up by the Soviet delegation.

In my speech on March 16, I spoke of cases of Soviet citizens convicted on charges such as anti-Soviet agitation and propaganda, spreading anti-Soviet slander, and resisting military draft. In contrast, the distinguished Soviet representative has inquired about American citizens who have been convicted on charges such as murder, rape, forcible assault and armed robbery. In responding to his inquiry, I want to point out that there is a world of difference in the two sets of cases. Suffice it to say that, in the view of my delegation and in the context of the Helsinki Final Act, the cases of persecuted individuals in the Soviet Union are political prisoners and as such represent glaring violations of our Helsinki commitments. The Soviet Union has tacitly, if not openly, admitted this fact by initiating the release of some of these prisoners. Since this is the case, we merely ask now at this Vienna review meeting why the Soviet leadership does not take the next logical step and release all such political and psychiatric prisoners. Such a move would not only move the Soviet Union forward in its commitment to the Helsinki accords but would greatly simplify our common task of drafting a concluding document at Vienna.

Thank you, Mr. Chairman.

STATEMENT OF AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
ON THE UNITY OF RIGHTS
in the "S" Group
April 6, 1987

Mr. Chairman:

During the course of this Vienna meeting, as at previous CSCE meetings, some participating states have attempted to blur the significant differences between the rights which all of our governments have agreed to promote under the Helsinki Final Act. These states perhaps reason that by trying to focus the debate on social and economic issues, they will deflect criticism of their performance in protecting the fundamental political and civil rights of their citizens. They also hope to shift the entire axis of the CSCE away from its primary focus in the human rights area.

We are prepared to engage, as Ambassador Zimmermann did in plenary on December 12, in discussion of our respective successes or shortcomings in promoting economic, social and cultural rights. But we reject any attempt to equate these rights with political and civil rights. Several Eastern states, including the Soviet Union, the German Democratic Republic, Romania, Bulgaria and Czechoslovakia have introduced a proposal, WT. 82, which aims precisely at such an equation.

Civil and political rights are fundamental and inalienable. They represent individual rights which our governments cannot provide, but can only protect. The respect for and exercise of these rights, including freedom of thought and by extension freedom of speech, freedom of conscience, religion or belief are fundamental to our Helsinki commitments. These basic rights of the individual change neither with shifting political trends nor with the adoption of new ideologies.

Enjoyment of social, economic and cultural rights, on the other hand, depends on conditions present in our respective societies and on steps taken by our governments to promote and encourage them.

Furthermore, while the effective exercise of political, social, economic, civil and cultural rights is "interrelated", it is neither "indivisible" nor "inseparably linked" as suggested in WT. 82. Our governments have an obligation to promote and encourage these rights and freedoms, irrespective of progress in the others. As our West German colleague once concisely stated, "the guarantee of fundamental freedoms must not be dependent on social conditions."

What these Eastern states are striving to accomplish in theory, by submitting WT. 82, they seek to effect in practice with a host of other proposals on resolving social, economic and cultural ills. I stress again that we can accept neither the theory nor the practical effort to establish the unity of rights.

In this CSCE forum, we have chosen to emphasize civil and political rights for several reasons. These rights transcend political and economic systems, and therefore in theory should be present in all of our countries in equal measure. Freedom of thought and speech, for example, is so basic a right and so easy a principle to comprehend that a review of a government's performance in respecting this right should be relatively simple. The right is respected or it is not. In contrast, as our Austrian colleague has pointed out, the diversity of social and economic systems within the participating states makes it much more difficult to determine which society or system produces the best results in these areas.

Although we continue to believe that the primary focus must remain fixed on respect for human rights and fundamental freedoms, which basically requires that governments do not act or at least refrain from repressive actions, we are not reluctant to discuss progress and problems in other areas where government action is required.

Because my delegation has already spoken at length on the range of social and economic problems that are the subject of the Eastern proposals, allow me to focus today only on two areas, in which recent developments merit discussion. One such Eastern proposal, WT. 75, concerns the right to work and the elimination of unemployment. Ambassador Zimmermann spoke extensively on December 12 on the issue of unemployment in the U.S., and I will not repeat his statements today. I stress again, however, that in promoting social, economic and cultural progress, my country recognizes and accepts that differing systems will produce different paths to that goal and different degrees of success. While some unemployment is a feature of our market economy, the problems of under-employment, forced labor, lack of trade union freedoms and the importance of ideological loyalties are endemic to many centrally-controlled economies.

One manifestation of these problems in the Soviet Union, for example, is the presence of "dead souls". For those of you who believe that "dead souls" disappeared along with pre-revolutionary Russian life as described by Gogol, we must inform you that they remain a factor even in Soviet life today. "Dead souls" are Soviet workers who are unsatisfied with their niche in the economic system and who seek either to enter other fields or to work privately. Because other opportunities are often blocked and most private economic activity remains illegal, these workers arrange for managers to register them as employees, in return for which the managers receive the worker's salary. By this means, the worker can unofficially pursue the work of his choice, but he remains in constant fear of persecution. Is this the "satisfactory existence" envisioned in WT. 75?

We also note that unemployment, which the sponsors of this resolution have implied previously afflicts only Western systems, is also a problem in the Soviet Union, if not in the countries of other sponsors. We have long been told by Soviet representatives that unemployment does not exist in the Soviet Union. Our doubts about these assertions were confirmed by the recent publication of an article in the newspaper "Selskaya Zhizn", which revealed that "in Uzbekistan alone, according to incomplete data, one can count about one million idle hands." The article establishes clearly that these are not children's hands, Mr. Chairman, but the hands of able-bodied workers, who are supposedly guaranteed the right to work in the Soviet system. But perhaps even these jobless Soviet citizens are fortunate when one considers a recent report in the daily paper "Socialisticheskaya Industriya" that a quarter of a million unemployed Azerbaijanis are being relocated to Siberia. In a classic case of understatement, the paper indicated that there was a certain amount of resistance to the worker resettlement program. Is this truly the best way to guarantee the right to work?

The Soviet Union and Czechoslovakia have submitted another proposal, WT. 76, on the problem of the homeless. We have acknowledged this problem at this Vienna meeting on a number of occasions. Our efforts to deal with this problem serve, I believe, as an example of the need for positive action to which I referred.

The complexity of the homeless problem in the United States requires a multi-faceted response. We have already discussed many of the federal and local programs aimed at improving the housing, health care and employment situations of the homeless. Just in February of this year, President Reagan signed a bill which will add 50 million dollars to an emergency food and shelter program which for 1987 had already been funded 70 million dollars. In addition, the Congress is considering other funding for up to 750 million dollars for homeless relief. There is also a 16 billion dollar job training program which should help provide job skills to those who choose to work. At the same time, there are a growing number of state and local homeless relief efforts which are coping with the problem with varying degrees of success. Overall, the problem of homelessness remains in my country but progress is being made and will continue to be made.

Perhaps the same gust of wind that brought us news of the unemployed in Central Asia and the Caucusus, will bring greater honesty about housing problems in the Soviet Union. We have read numerous statements in the Soviet press about the abysmal housing situation in the Soviet Union, which forces many Soviet citizens to live in cramped quarters, often shared with other families. Recent articles in the Soviet press have at last begun to address the most serious of these problems, such as the fate of BOMZHi in the Soviet Union. The literal translation of this term is "without a specific place of residence." The mere existence of the acronym hints at the dimension of the problem.

BOMZHi are the Soviet Union's homeless. In general, they are Soviet citizens who have chosen to move to a location in the Soviet Union other than that which is written in their internal movement documents. Many of these people have abandoned the provinces to seek the relative affluence of the big cities, which are kept better provisioned by the Soviet government. Western observers might wonder why such people can't simply move to the city to locate employment and a residence, without becoming BOMZHi.

The answer is that Soviet law prevents such moves, except in certain cases such as marriage and employer's needs. This law forces these Soviet citizens to live as part of an under class, ever fearful of harassment for illegally residing in the location of their choice, even within their own country. Some of these people who are either unable to find safe quarters or unwilling to take the risk of being discovered by the authorities, live in abandoned buildings or in construction sites. Living on the streets, however, is illegal and is likely to invite a "special automobile" to take the BOMZHi away from public view. However, I think we can all agree that the problem of homelessness is not solved by putting the homeless in jail.

To conclude, Mr. Chairman, I want to stress that my delegation fully recognizes the importance of improved performance in the social, economic and cultural aspects of our societies. Indeed, for this reason, we have candidly discussed our own record in these areas and have identified some of the problems we see in other participating States. But we do not believe that these subjects, including WT. 35 on unemployment, WT. 70 on illiteracy, WT. 71 on health care and WT. 79 on hunger, are appropriate topics for proposals in the CSCE. Each of our governments has a fundamental interest in the solution of economic, social and cultural problems. But each of us has our own way of addressing these problems which depends on our different economic and political systems and which produces different results. And I would add that the most successful results are not produced in the states which are the sponsors of these proposals. If further explanation of this point is needed, we will be glad to provide it.

The language of the Final Act as it is provides all the guidance we need in this area. All that remains is for each of our governments to study the example of others and, with determination and purpose, to decide how it can deal most effectively with these problems within the context of its own economic and political structure.

Mr. Chairman, I wish now to turn briefly to another related subject which was the focus of the intervention of the distinguished Soviet representative in last Friday's plenary session.

Signing and ratifying international conventions on human rights is not necessarily the same thing as respecting those rights and promoting and encouraging their effective exercise. This was precisely the point which Ambassador Zimmermann made in plenary last Friday in speaking about follow-up activities after Vienna. They cannot be a substitute for or a flight from the fulfillment of obligations already assumed. This discrepancy between words and deeds in the behavior of the Soviet Union is even today what most affects the credibility of the entire CSCE process.

In the same way, the formal act of ratifying UN human rights conventions can and is rendered meaningless if the provisions of the conventions are not observed in practice by the ratifying country. The USSR, for instance, does not accord the guarantees of the UN Covenant on Civil and Political Rights to its own people, despite being a party.

It is also the case that the USSR has frequently refused to recognize the competence of committees set up to receive and consider petitions under the UN conventions, despite the impression we were given to the contrary on Friday by the distinguished Soviet delegate in plenary. An example is the failure of the USSR to deposit a declaration under article 41 of the Covenant on Civil and Political Rights recognizing the competence of the Human Rights Committee, established under that Covenant, to receive and consider allegations of treaty violations made by states parties. I would be glad to provide other examples on request. The critical focus of whether a nation observes human rights is not the formal act by a state of ratifying a human rights or other convention but the actual enjoyment of the rights which the convention provides.

Thank you, Mr. Chairman.

STATEMENT BY AMBASSADOR ROBERT H. FROWICK
DEPUTY CHAIRMAN, U.S. DELEGATION
TO THE VIENNA CSCE FOLLOW-UP MEETNG

ON CONFIDENCE- AND SECURITY-BUILDING MEASURES

S Group, April 7, 1987

Madame Chairman, today I would like briefly to offer United States views on further application of Madrid mandate obligations regarding the first stage of the Conference on Confidence- and Security-Building Measures and Disarmament in Europe (CDE).

In our deliberations to date both in the S Group and in Plenary, we have all followed our mutual pledge at Madrid that:

> "Taking into account the ... aim of the (Stockholm) Conference, the ... follow-up meeting of the participating States of the CSCE, to be held in Vienna ... will assess the progress achieved during the first stage of the Conference."

The United States believes that this pledge relates not only to assessment of the positive documentary results achieved in the Stockholm negotiations, but also -- more to the point -- to an ongoing assessment of direct experience with implementation of the Stockholm Confidence and Security-Building Measures (CSBMs) during the course of this Vienna Follow-Up Meeting. We shall continue to be attentive to these results of practical experience, which represent the real test of our achievements at Stockholm.

Thus far, we are encouraged that initial implementation of CSBMs, albeit not perfect, appears to be unfolding in a manner superior to the implementation of the Confidence-Building Measures (CBMs) of the Helsinki Final Act. We find this an especially hopeful situation inasmuch as the original CBMs represented quite limited, pioneering steps primarily of political significance, while the CSBMs are truly militarily significant initiatives.

The significance of the Stockholm Document is that it moved beyond pledges of good will in the Final Act to measures which have concrete effect and are verifiable by all the participating states. Clearly, the Stockholm results represent an important advance along the spectrum of CSCE security activity. However, as we have previously noted, the very success we enjoyed at Stockholm has given security issues an unprecedented emphasis in the CSCE process. We have until now been unable to achieve commensurate advances on the major issues in other areas of the Helsinki process -- especially those dealing with respect for human rights and fundamental freedoms.

Let me recall our overall objectives with regard to the Vienna CSCE Meeting. The United States has repeatedly expressed the view that a constructive and balanced outcome in Vienna will depend on significantly improved compliance with CSCE commitments. Improved performance is necessary to give meaning to new commitments and activities. In light of these goals, we have focused on concrete, practical steps that would enhance implementation of existing commitments and on a limited number of activities which would build upon and strengthen those commitments.

Our emphasis is on actions, not words. What is most needed is not new commitments, but rather new behavior which fully and consistently adheres to commitments already undertaken. We thus see no positive value -- in fact, we see negative value -- in resounding declarations or resolutions on security issues, particularly on matters which for one reason or another are manifestly beyond the scope of our deliberations here.

Therefore, I join with my distinguished colleague from France in urging that, as a practical matter, this group direct its attention and efforts to matters clearly within its purview and susceptible to resolution by consensus. The task of building confidence and security in Europe is, after all, an arduous one. Even with the progress achieved thus far, we still have a long and difficult road ahead of us.

The Madrid Mandate represents a significant stepping stone on that road. In the Madrid Concluding Document, the participating States agreed to conduct their CSCE work on the basis of certain conditions, namely "on the basis of equality of rights, balance and reciprocity, equal respect for the security interests of all CSCE participating States and of their respective obligations concerning confidence- and security-building measures and disarmament in Europe." These criteria, in our view, are fundamental requirements with regard to measures and commitments adopted in the CSCE process. Our ability to meet these criteria, along with other factors, will assist in our determination about how to proceed on security issues in CSCE.

Looking ahead, it is the perception of the United States that there is widespread support among the CSCE participating States for undertaking further work under the Madrid mandate on Confidence- and Security-Building Measures. Thus, it is our view that the "first stage" noted in the Madrid Mandate is not yet complete.

We would recall in this regard that in the Madrid Concluding Document, it was left to an unspecified "future CSCE follow-up meeting" to consider the question of supplementing the Madrid mandate for the next stage of CDE. This language was not accidental. On the contrary, it was based on the pragmatic recognition that building confidence and security in Europe is perforce a longterm process.

It was in this context that the United States subscribed to, and continues fully to endorse, paragraph 9 of the NATO Foreign Ministers' "Brussels Declaration" of 11 December 1986, which in part pledges Allied efforts

> "to build upon and expand the results of the Stockholm Conference on Confidence- and Security-Building Measures"

Any future steps in the security area of CSCE will have to take the Stockholm experience -- in particular our experience with implementation -- fully into account. If the United States and its partners have not yet at this stage tabled their own ideas on future steps, it is because we have not yet concluded our joint deliberations on the most positive way to proceed.

Nevertheless, it seems to be widely agreed around this table that negotiations should continue in the direction of building upon and expanding the confidence- and security- building measures adopted at Stockholm. The United States believes that agreement on such negotiations could form part of a balanced and constructive outcome to the Vienna Meeting -- but only if there is significant improvement in other aspects of the CSCE process, particularly human rights and fundamental freedoms.

Thank you, Madame Chairman.

Statement by Colonel Lofgren
in Working Group "S"
in Response to GDR Plenary Statement
On Unnamed Combined Exercise
7 April 1987

Madam Chairman:

Following a precedent set by our distinguished Soviet colleagues in Plenary this morning, the United States statement will be given in two parts. My delegation would like to thank the distinguished representative of the German Democratic Republic Generalleutnant Kunze for his statement this morning. We would like to acknowledge General Kunze's statements in reference to the number of Easten security proposals tabled in the Vienna meeting. Some states were again criticized for lack of comment on the proposals. Speaking in my national capacity, let me state that most of these proposals are recycled from the Stockholm Conference. We said just about as much as we needed to say then. However, we are happy to reinstate our opposition to political/declaratory proposals for confidence and security building at a later meeting. We, likewise, look forward to putting forth a Western proposal in the near future and will speak on its behalf as appropriate.

We would now also like to thank Generalleutenant

Kunze for his remarks on the combined exercise recently held near Potsdam involving the troops of the GDR and the Soviet Union. It would appear that recaps of exercises attended by CSCE observers are becoming a standard feature of the conference. Certainly my distinguished colleague, General Tatarnikov, in echoing the comments of Colonel Cepak's 30 March statement on Polish exercise OPAL 87, in "S" Group, called for such postmortems to become routine. How could we possibly object: The U.S., back on 15 December in "S" group, solicited a briefing on the Swiss exercise from our distinguished colleague, Col Scharli--which he graciously provided on 17 December. However, it appears that we have elevated these statements from "S" group to Plenary. I will prevail upon this distinguished group to relate to your heads of delegation that our response to the GDR statement was made in this body.

I believe, however, that in the interest of promoting confidence and building upon our Stockholm experiences, we ought not to use this forum merely to congratulate ourselves on fulfilling obligations we all undertook on the 19th of September last year. I fully agree with my Austrian colleague that if there are other points of view on the conduct of exercises observed under the provisions of the Stockholm Document, then these points of view, likewise should be shared.

My government was pleased to accept the invitation of the GDR government to observe the unnamed combined exercise on 25 through 28 March. While I was not privileged to attend the exercise myself, the report of one of our observers stated that from the invitation and period of observation in the GDR, it was possible to establish the non-threatening character of the exercise thus confirming what the distinguished General Kunze has told us today.

Our observer indicated that he thoroughly enjoyed his visit to the Potsdam area and the opportunity to see the exercise and to interface with the other observers. He stated, however, that "the activity observed was not worthwhile training per se, but it was an interesting program arranged for the benefit of observers.

During the initial briefing, our observer writes, all hosting and observations of GDR units was done by East German officers, led by our distinguished speaker, this morning, Generalleutnant Kunze, in German, with translations to English and Russian. Observations of Soviet units were organized by Soviet officers, led by Generalmajor Sadovnikov, in Russian with translation to German and English. The initial briefing covered the use of cameras, which were not allowed during observations, but were allowed in Potsdam and on the bus. The same provisions provided to tape recorders. Binoculars were inspected and allowed at any time. Good binoculars were provided at the observation post, but were not available at other times. A good map of 1:200,000 our troops (General Kunze said 1:500,000) scale was provided, along with a sketch of the initial tactical situation, but the sketch contained no scale. Other sketches of other phases of the operation were not provided, but daily briefings used a terrain model. Air activity was included, but not briefed separately." These comments from our observer would confirm those provided today by my GDR colleague that the observation of the Stockholm Document modalities had certainly been fulfilled.

Regarding the tactical situation, the US observer indicated that the situation provided showed fictitious unit designations of the 41st motorized rifle division, with the 411, 412 and 413 motorized rifle regiments and 414 tank regiments as the units seen in the Altengrabow training area. Our observer raised the question of unit designations at the first briefing and was told that they would be provided in tactical simulations. The observer from the Federal Republic, according to our observer, questioned the validity of the 41st motorized rifle division designation and was told that it was correct. The question of the US observer was flatly turned back by Soviet officers, not the GDR hosts, as not being part of the program. Without this information, the role of these observations as confidence building measures, according to our observer, was obviously limited.

A second major impression obtained by the US observer was that it seemed clear to him that the GDR hosts were, and I quote: "Strongly pushing whatever was in their power to make the Stockholm Document work as an instrument for confidence building, whereas the Soviets appeared to carefully stage and manage their program to show as little as possible and still meet the letter of the agreement." Unquote.

Here are some examples that were cited for specific reference:

The visit to Soviet command posts the first day were quote, "a put-up show, with set piece briefings and limited opportunity to actually wander about. Although some questions were answered candidly--such as the strength of a motorized rifle platoon; being 24 according to the platoon leader--other answers were long and evasive. The impressions of our observer on the first day's visit was that he had not really visited a unit at all, but a Potemkin Village of ten vehicles," unquote.

To proceed with examples: the visit to GDR units was considerably more open, according to the US observer, with the distinguished General Kunze personally playing an active part in insuring that clear, factual answers to questions were given. When responders to questions started to stall in their responses, General Kunze ordered them to show maps, demonstrate unit sectors, show how many dismounted troops were emplanted in the platoon sector--which were nine. It was clear to the observer that the entire motorized rifle regiment was present.

Another example: Questions as to unit designations and home garrisons were met with some understanding by the East German hosts. The Soviets said that answering such questions was quote "not in the program," unquote. In fact, this exercise was announced at approximately 25,ooo troops, 23,500 Soviet, 1,500 GDR. While the German hosts could account for their 1,500 troops, the USSR spoke generally only to the event being observed, with no info to what was occurring throughout the remainder of the exercise.

Another example: GDR officers were open to observers' requests at all times. Soviets were more evasive--the actual language used by the US observer was that quote, "they were hard to pin down." There was an initial call for observer requests during the first general briefing, before the actual program was announced. At that time the GDR representative made the request that as the program was announced, observer requests could be made at other times throughout the observation period. This was an important precedent and should be made right away during all exercises according to our observer. Another example: the US observer requested to visit a division main command post. No further response was made by Soviet officials, but a quote "Division forward command post" unquote was rolled by in closed vehicles as part of the last observation. The observer felt this was clearly a show constellation of T64A (number 491) and six BTR 60PA vehicles--whose numbers were covered. This attraction according the observer might have been added to the script to indicate that his request had been granted.

Another example: a request for a list of hosting Soviet and GDR officers was indicated to be forthcoming from the German officers, but was never fulfilled. It appeared evident to the US observer that the Soviet officials were making the decisions on all requests.

Another example: the GDR concern for all the administration and logistics was overwhelming. High quality motor coaches were used. Single rooms were provided in the Interhotel which is one of the better hotels in the GDR, and evening meals were informal, with menus of 4 courses in a separate dining room where observers had an opportunity to talk together.

General Kunze, and our observer states, General Minkler were present throughout including the cultural activities. At the cultural evening hosted by Soviet officials, an army colonel was the presiding official.

Describing events, the US observer stated that it was obvious that all activity was not observed. Of a total of two Soviet divisions, and one GDR regiment announced, the observers saw three Soviet regiments and one GDR regiment for limited periods. Deployment was not observed. No artillery was seen.

Regarding redeployment: at the last briefing, the Soviet General noted a possibility to visit a rail loading at Gardelegen as part of the redeployment. This was not further mentioned at lunch. On the return bus, the question was raised to the GDR coordinator, who mentioned the possibility of using the reserve bus to detach those observers who wanted to see the rail loading. After a GDR leadership council, it was decided to return together to Potsdam and then drive separately from there. After a short farewell ceremony in Potsdam, the US observers were the only ones expressing an interest in visiting the rail loading and were told that they could drive alone to Gardelegen on their way back to Helmstedt. At the last minute, the US obsevers were called aside and it was explained that this had been a misstatemehnt by the Soviet General and asked the US observers not to drive to Gardelegen. Therefore, no redeployument was observed. A train was seen from long distance loading at the Altengrabow siding, but it could not be determined if this was Soviet or GDR; or a redeployment from the exercise, or a deployment from the garrison at Altengrabow. It was not mentioned officially by the hosts.

The US observer also mentioned that the press was omnipresent, but while both East and West press attended Pottsdam briefings, only Eastern press representatives were allowed in the exercise area. The fact that the Bundeswehr from the Federal Republic was officially present in the East for the first time, was significant and quote, "lightened the load on all the other observers," unquote.

Madam Chairman, I apologize for speaking so long on this subject, but wanted to provide, without editorial comment, some other views of the exercise. We invite the same scrutiny from all participants at the next US exercise to which observers are invited. We are pleased other observers have views on what they witnessed. This forum would also be appropriate in evaluating the degree of openness and confidence-building strongly urged by the distinguished representative of the Soviet Union. In this regard, we deeply appreciate the additional comments provided by the distinguished representative from Austria relating to Exercise OPAL 87, and join him in wishing only to offer constructive suggestions in the Stockholm spirit to improve the climate of CSBM's compliance.

Thank you, Mr. Chairman.

Statement by Daniel C.P. Grossman
United States Delegation
to the Vienna CSCE Follow-Up Meeting

Meeting of the "S" Group
April 8, 1987

Wrap-Up of Second Round Principles Work

Mr. Chairman:

We would like to take some time today to review the progress we have achieved in our work on principles in the second round of this Follow-Up Meeting. We do so in the hope that by identifying the areas of interest to our delegation and also by pointing to some of the obstacles, we will share with our colleagues our government's approach to the forthcoming work of drafting.

Our work in the past two months has taken place against the backdrop of a process of reform in the Soviet Union which also seems manifest in other Eastern states. These changes are central to our work. In some areas of Helsinki commitments, for example, where we criticized the Soviet Union for lack of compliance during the implementation review, we have witnessed undeniable change, for the better. In other broad areas, sadly, there is little new to report.

Along with other delegations, we have recognized positive developments, while insisting on the need for more change. Although we have cited specific problems, and have explained how our proposals will help to resolve them, our efforts have usually elicited belligerent Soviet responses, including repeated charges that our delegation and indeed our people are uncivilized, illiterate and irresponsible. Even when we have responded to apparent concerns of our Soviet colleague about fulfillment of human rights commitments in the United States, our requests that the Soviet delegation respond in kind have been characterized a as "provocation." We regret this intransigence and this unwillingness to engage in meaningful dialogue on basic principles. We hope that we will witness "new thinking" in the beginning of the next round.

Despite these difficulties, we have made steady progress. We have before us a wealth of proposals to consider in the drafting of a final document. Our drafting should be guided by the need for improved compliance of Helsinki commitments.

One of our prime goals in this Follow-Up Meeting is to improve compliance in the area of freedom of movement. This aspect of our work has a strong ripple effect on work in the other Baskets, particularly Basket Three, and indeed on security and cooperation in Europe in general. Proposal WT. 22, which we and several other delegations have submitted, could significantly improve compliance. Some Eastern states have attempted to distract us from this goal by emphasizing a purported right to enter another country. These same states consistently avoid references to the fundamental right to leave from, and return to one's own country, as embodied in the Universal Declaration on Human Rights. Perhaps the attitude of those states is best explained by their conspicuous failure to submit any proposal which specifically addresses the right to leave one's own country.

Another area of our work which has received extensive attention in this group is freedom of thought, conscience, religion or belief. We note that most proposals submitted in this area reflect the same spirit motivating ourselves and our allies. These proposals could provide a firm foundation for improved compliance. We suggest that the sponsors of WT. 78 review the Western proposals and support, among other elements, the central provision allowing for the free propagation of both religious beliefs and atheism.

Another deep concern of my delegation is reflected in proposal WT. 39 on persons in confinement. The time and energy devoted by delegations from all groups to this proposal are evidence of its importance. We regret that our attempt at dialogue with the Soviet delegate about relative prison conditions in our two countries was rebuffed. We challenge the Soviet delegation, which has submitted no comparable proposal, to demonstrate their concern about prison conditions in the Western states they have mentioned by supporting this proposal.

A related proposal, WT. 38 on the role of individuals and non-governmental organizations does not attempt, as one Eastern delegate has claimed, to rewrite the Final Act by putting them on the same plane as governments. Rather, this proposal seeks to make it possible for individuals and non-governmental organizations to play the relevant and positive role accorded to them in the Final Act.

We hope that the absence of comment by some delegations on WT. 27, a Western proposal on national minorities which has been co-sponsored by delegations from all groups, is a tacit indication of support.

We have carefully reviewed other significant proposals in our principles work. We spoke earlier this week on WT. 82, regarding the unity of rights. We reiterate for the record, that our government cannot accept such a proposal, which attempts to subordinate respect for certain basic rights and fundamental freedoms to prevailing economic and social conditions.

Many of the goals we strive to achieve through agreement on a final document at this meeting, would be well supplemented by the adoption of WT. 19, on Follow-Up activities in the human dimension. As Ambassador Zimmermann stated on April 3, adoption of WT. 19 would establish a necessary mechanism for monitoring, for information sharing and for bilateral and multilateral discussions on all problems in the human dimension.

In conclusion, Mr. Chairman, allow me to repeat that we have undertaken this review of our collective work in principles today in order to clarify our government's position and to identify problems we envision. We have taken note of limited progress in some participating states, but we stress that this progress must expand in scope and depth. As this meeting continues, we will strive to further these developments.

Thank you, Mr. Chairman.

Informal Remarks by Ambassador Robert H. Frowick

At the Conclusion of the Last Session
on Security before Round II Ended
April 9, 1987

Thank you, Mr. Chairman. I would like to just comment briefly on some of the statements that have been made here this morning.

My delegation is pleased with the considerable attention given to the statement of Col. Lofgren on 7 April. It was a carefully prepared and balanced overall assessment of the recent exercise in the German Democratic Republic. The contrast to which the distinguished representative of the Soviet Union, General Tatarnikov, alludes was a regrettable reality in the GDR exercise. We thought that in our analysis, we would be remiss not to take note of that contrast -- and note both sides of the contrast.

We regret the somewhat anti-U.S. tone of the Soviet Union's notably defensive explanation of the exercise in the GDR. Nonetheless, let us recall the basic United States assessment -- which has often been repeated here recently -- that initial implementation of the Stockholm CSBMs is unfolding in a manner superior to our earlier experience with the CBMs of the Final Act. Thus we are making progress, and the United States welcomes this.

Mr. Chairman, I also take note of reactions of the distinguished representative of Poland to our statement on CSBMs on 7 April. We shall reflect on the observations of Poland before commencement of the next Round.

We do look forward hopefully to stepped-up constructive work together with all concerned in Round III. For our part, we believe there is ample time to deal with the issues before us. They are serious and complex. They deserve time and close attention.

Finally, may I join in expressing gratitude to the Executive Secretariat and all others who are making possible here in the "S" Group the professional execution of our work. The United States also extends best wishes to all present as we start the forthcoming break between Rounds II and III. Thank you, Mr. Chairman.

BASKET II STATEMENTS

STATEMENT BY SHERWOOD McGINNIS
U.S. DELEGATION

SUBSIDIARY WORKING BODY "E"
January 30, 1987

SUMMARY OF THE REVIEW OF BASKET II IMPLEMENTATION

Thank you, Mr. Chairman.

Today concludes our review of implementation of the Basket II provisions of the Helsinki Final Act and the Madrid Concluding Document. I would like to take this opportunity to share with the other delegates here some of the U.S. Delegation's conclusions on this review phase.

Overall, I would assert, we in Subsidiary Working Body "E" have had a thorough review of implementation of the Basket II provisions. In the field of economic cooperation, we have discussed the effects on East-West trade of inadequate business contacts and facilities, of the lack of timely and sufficiently detailed economic and commercial information, of the inability to conduct market research, and of the problems created by excessively severe and all-too-frequent countertrade demands. We noted, as the participating States did in the Helsinki Final Act, that some of these same problems also negatively affect industrial cooperation between East and West, as do some problems which are unique to that form of cooperation. Among these, I would include the need to protect property rights, the ability to repatriate profits, and the creation of an overall framework for the establishment of joint ventures that is attractive to Western firms.

Regarding cooperation in the many fields of science and technology, we have noted some progress in recent years. At the same time, we were compelled to note the strict controls placed on scientists from the Soviet Union and some of the countries of Eastern Europe, controls which inhibit if not prohibit them from free interaction with their colleagues in the West. We also spoke of the outrage of the Western scientific community at the treatment of those scientists in the East who do not conform to the political views of their governments or who wish nothing more than to exercise their right to leave their country. The effects that these controls and punishments have directly on scientific creativity and indirectly on scientific cooperation are as obvious as they are unfortunate.

Our review of environmental issues has demonstrated the need for cooperative efforts in this field more than ever before. We were able to note some positive developments on the international scene that have taken place or are currently underway. Together, we have made some accomplishments to protect the environment, and those accomplishments should give us the confidence to move forward in the many areas that still need to be addressed. At the same time, our discussion revealed that we need to allow all segments of our societies to utilize fully their potential to deal with the causes of environmental destruction. This means, first and foremost, allowing individuals to express freely their views on environmental policies. Many CSCE signatories, including the United States, already allow this to happen. While this has not solved all our problems, we have seen results materialize from real and broad-based efforts to protect the many aspects of our environment, from wild- and marinelife to air and water as well as symbols of our cultural heritage. Unfortunately, not all signatories permit groups to monitor and express their views on environmental matters independent of state controls.

Mr. Chairman, the significant lack of compliance with the CSCE provisions in the areas I have just mentioned -- economic, scientific and technological, and environmental -- has implications for the work that lies before us now. As with other areas of CSCE, it is certainly difficult to argue for taking on new commitments in the areas covered by Basket II when so much more needs to be done to bring current practices into compliance with existing commitments. Thus, while we should be pleased at having had a long, thorough and necessary review of implementation, we should realize that this review is a reflection of the lack of progress, particularly in the countries of Eastern Europe and the Soviet Union, in living up to Helsinki and Madrid pledges. It is for that reason that the U.S. Delegation said, in its opening statement in this group, that the major emphasis in Basket II, as elsewhere, should be to improve compliance with existing commitments. We continue to feel that way.

When the U.S. and several other delegations raised issues of non-compliance with Basket II provisions, we heard a variety of responses. For example, some delegations claimed that the examples of non-implementation which we have mentioned do not exist, especially regarding business contacts and facilities and economic and commercial information. These instances are real and have been mentioned not only by the U.S. Delegation but by many other delegations as well. Western firms continue to report problems in areas covered by Basket II provisions.

Another response frequently heard is that we were raising these issues in order to be confrontational and to insist that some States need to change their economic systems. The fact that we noted differences in implementation among the centrally planned economy countries and commented positively on prospects for improved compliance on the horizon in some of these countries reveals that we are not seeking to change their systems. We have pointed out, in a non-polemical way, shortcomings where they exist. The point which we want to make is that, if East-West economic cooperation is to grow, the non-market economy countries must create the economic conditions necessary to attract private Western firms. Western governments cannot force business representatives to engage in trade activity that does not make economic sense.

We also have heard statements arguing that each participating State should have the sole responsibility for reporting on its own implementation record. If we were to do that, we wouldn't have to meet here in Vienna. The purpose of an implementation review is to raise problems in the hope that they will be reported to the officials who may be able to do something about them. Moreover, problems relating to cooperation in the fields of economics, of science and technology, and of the environment affect us all; and it is in every participating State's interest, not just some of them, to correct these problems.

Some delegations have criticized the implementation records of some Western countries, including my own. My delegation said in an earlier statement in this group that no country has a perfect Basket II implementation record. Improvements can always be made. However, the high levels of trade and cooperation among the Western countries as well as between them and countries elsewhere in the world, is, in part, the result of open societies that allow market forces and individual initiative to operate as freely as possible.

Finally, Mr. Chairman, there has been some discussion in this group on the need for balanced progress in the CSCE process. While some have argued that there have been insufficient efforts in Basket II relative to other baskets, we feel the lack of progress in cooperation as envisioned in Basket II is in large part the result of lack of implementation in other CSCE fields, especially those relating to human rights and humanitarian concerns. We reiterate our belief that the CSCE provisions cannot be implemented selectively, and we hope to see concrete steps in other areas of CSCE that will support constructive progress in Basket II.

I hope, Mr. Chairman, that these few comments will add to our implementation review. If so, they may help make our efforts regarding new proposals, which we see as designed to enhance the implementation of previous commitments and not just to create new ones, all the easier.

Thank you.

STATEMENT BY SHERWOOD McGINNIS
UNITED STATES DELEGATION

WT. 89: Proposal on the Environment
Drafting Group "E", March 3, 1987

Thank you Mr. Chairman.

I would like to make a few brief comments on the proposal introduced in plenary Friday on the environment, WT.89. The United States is pleased to be a sponsor of this proposal.

The review of environmental issues in subsidiary body "E" noted a number of positive achievements which have occurred since the Helsink Final Act was signed. These include the Convention on the Protection of the Ozone Layer, the Convention on Long-Range Transboundary Air Pollution and the Convention on International Trade in Endangered Species to name only a few. Activities in key multilateral organizations which deal with the environment, including but not limited to UNEP and the Economic Commission for Europe, continue in a wide range of fields. And we should not forget the numerous bilateral and regional activities dealing with the environment as well.

I point out these many developments, however, not to indicate that all is well in the field of environmental protection. Reports of decaying forests, a slight but significant rise in average temperatures around the globe, and recent industrial accidents clearly indicate that all is not well; the environment continues to be damaged and, in some cases, destroyed by human activity. Indeed, just as the implementation review phase revealed many positive developments, it also made clear the need for cooperative efforts in this field more than ever before.

My purpose in mentioning the progress made thus far in efforts to protect the environment is to demonstrate that we have worked together in the past to preserve our environment. This fact should give us the confidence to continue to do so in the future. Few things have united the states of Europe and the world more than the realization of the effects of our actions on the natural environment. We also have increasingly come to realize that these effects are felt not only by those who cause them but by other states in the region and even around the globe as well.

The purpose of WT.89 is to encourage continued and even intensified efforts to solve the many environmental problems which we all face. As other delegates have described the proposal in detail, I will only mention a few characteristics of the proposal and what it seeks to accomplish. The proposal acknowledges the seriousness of the environmental problem. It suggests realistic and responsible measures we can take to improve the quality of the air, to protect the ozone layer of the atmosphere, to preserve transboundary rivers and lakes, to help prevent or lessen the consequences of industrial accidents, to improve the safe handling and transport of toxic and dangerous wastes, and to encourage proper natural resource management and conservation. And while it indicates the need for international discussion, it notes that discussion alone is not enough. WT.89 stresses the need for unilateral actions to be taken in light of our international obligations. Multilateral fora alone cannot clean our world. Ultimately, it is the responsibility of each state represented here to work for a cleaner and healthier environment.

Thank you, Mr. Chairman.

STATEMENT BY THE U.S. DELEGATION
ON
WT.101: PROMOTION OF TOURISM

March 5, 1987

Thank you, Madame Chairman.

Today I would like to speak in support of the proposal introduced both in this group and in plenary on Tuesday concerning the promotion of tourism.

Tourism is an important Basket II topic which has not received the attention it deserves. It was clearly recognized by those who drafted the Helsinki Final Act over a decade ago to be a significant contributor to the national economies of the region. Since that time it has continued to grow in importance. Nevertheless, as the delegation of the Netherlands pointed out on Tuesday, nothing was said on the promotion of tourism in the Basket II section of the Madrid Concluding Document. The United States, like the other co-sponsors of WT.101, feel that the participating States of the CSCE should commit themselves in Vienna to take better advantage of the opportunities for the expansion of tourism.

For obvious economic reasons, most if not all of the States participating in the CSCE seek to encourage tourism in one way or another, especially inbound tourism. Expenditures by foreign visitors add to national income and create employment opportunities for both skilled and unskilled workers. Furthermore, tourists can be a valuable source of foreign exchange earnings. In short, tourism is not much different from trade, with countries exporting their beauty and points of interest to foreign citizens and importing the beauty and points of interest of others.

Despite these economic motivations for encouraging tourism, much of the potential for this industry is underutilized. Although millions upon millions of people in Europe and North America are tourists for at least a few days each year, there remain many things which can be done to increase further their numbers and to widen their choice of attractive destinations. WT.101 seeks to create a better infrastructure for tourism as called for in the Helsinki Final Act by eliminating many of the rigidities which currently inhibit people from traveling from one country to another. These rigidities, at least as we see them, not only limit the level of tourism; they simply do not make much sense. For example, what good comes from existing legal and other obstacles which restrict or inhibit contacts between a native population and visiting foreign tourists? Such rigidities negatively affect the potential tourist and the potential host country alike.

The adoption of this proposal, followed by its rapid implementation, would most certainly promote a general increase in the level of international tourism. It would also go far to lessen some of the distortions in tourist patterns. Improvements in transportation, such as the jet airplane, have helped to expand the options of geographical areas available to tourists. Improvements in the way some states treat foreign tourists and permit their own citizens to travel abroad could lessen the influences of man-made obstacles which artificially distort where tourists prefer to travel.

Although we, as Basket II experts, are concentrating on international tourism from an economic point of view, we should not neglect the positive influence international travel has on the individual tourist. Taking steps to make it easier to travel abroad or to choose what one can do in another country increases the quality of a person's life, since he or she now has a greater range of attractive options on how to spend his or her leisure time. Furthermore, tourism brings together people of different cultures and backgrounds, increasing their knowledge and understanding of the world which we all share. This, I would argue, not only benefits those individuals involved but ultimately everyone.

Madame Chairman, the measures specified in WT.101 are relatively simple and should be easy to take. They will not eliminate all of the rigidities and obstacles to tourism, but they will eliminate some of the most obvious, limiting and unnecessary ones. For that reason, I hope that all delegations will give this proposal their active support.

Thank you, Madame Chairman.

U.S. STATEMENT
BY
ROBERT HAND
ON
WT.115: COMPENSATION TRANSACTIONS IN ALL THEIR FORMS

Drafting Group "E", March 17, 1987

Mr. Chairman, the proposal I would like to discuss this morning, WT.115, covers a topic which received much attention at the Madrid Meeting and during the implementation review phase of this meeting. I am speaking about compensation transactions in all their forms, also known as countertrade.

WT.115 enhances the relevant provisions of the Madrid Concluding Document, in which the participating States noted "the increasing frequency in their economic relations of compensation transactions in all their forms." They recognized "that problems can be created by the linkage in such transactions between purchases and sales," and recommended that further work in this field be directed "towards identifying such problems and examining ways of solving them." WT.115 does just that. It lists several of the problems created by frequent and severe demands for compensation, problems which hinder the development of trade relations. They are problems that can be created by long-term, buy-back deals or by short-term counterpurchase deals. The proposal then makes practical suggestions on how the participating States can avoid these problems, thereby contributing to a harmonious development of their economic relations as recommended by the Madrid Concluding Document.

The primary reason that foreign trade organizations or enterprises from the nonmarket-economy countries make demands for compensation is that they cannot generate a sufficient amount of hard currency through exports in order to pay for imports, because much of what their economies produce is not competitive with similar products on the Western market. They therefore seek to pay for products with products, which transfers the burden of marketing the goods exported to Western firms. Such a practice, I would argue, is not an effective way for these countries to enter into new markets and to increase exports in the long-term. It does not encourage a manufacturer to make the goods it produces competitive with similar goods on the market, and it does nothing to develop the marketing skills needed to sell in a competitive market.

Western firms, of course, are not obliged to take on this burden. However, rigid demands for compensation are frequently imposed close to the conclusion of business negotiations, after a Western firm has already invested much time and effort in trying to sell its product. This can place such a firm in a position of accepting less than desirable terms and cannot, therefore, be considered appropriate or mutually benficial. Compensation transactions also create additional costs by extending the negotiations of a sales contract and requiring a firm to purchase and then market a product that often is not competitive. These costs translate into additional risks; profitibility problems may result, particularly when the items received as payment are over-priced and of poor quality. These increased costs and risks are not countered by any significant advantage relative to traditional trade methods. They can make participating in East-West trade particularly difficult for smaller firms or for firms inexperienced in dealing with their Eastern counterparts. And while some firms nevertheless conclude deals in which they receive products as payment, this does not mean that they prefer products to money when doing business.

Furthermore, problems associated with compensation transactions go beyond those experienced by the Western firm involved. Frequent and severe demands for compensation introduce into the commercial world rigidities and distortions contrary to an open and multilateral system of trade. Counter-products are traded not on the basis of price, quality, service, or any other criteria by which a product is normally chosen for purchase. The result of an expanded use of compensation transactions, therefore, would be a decline of trade based on mutual advantages. It would also accentuate bilateralism in world trade. Moreover, specified quantities and prices for goods received as payment can disrupt markets and lead to charges of dumping.

In light of these problems, WT.115 recommends that the participating States should not encourage compensation transactions. Traditional forms of trade should be permitted to the extent possible. Any remaining demands for compensation should be made clear from the start of business negotiations. They should not be imposed by one side on the other but based on their free acceptance by both sides in light of specific circumstances surrounding the deal. In addition, there should be as much flexibility in the deal as possible. For example, if an enterprise or foreign trade organization finds it must demand compensation, it should offer a wide choice of products from a variety of product sectors.

Mr. Chairman, the need to act upon the recommendations contained in WT.115 can be clearly seen by an examination of the practices of the Eastern, nonmarket-economy countries. While specific practices vary from one Eastern country to another, generally there was an increase in the frequency and severity of demands for compensation by these countries in the late 1970s and early 1980s. In some of them, counterpurchase ratios can go as high as 100 percent, particularly if the items being sold by the Western firm are not given high priority in the buyer's foreign trade plan. Furthermore, the items offered as counter-products are frequently limited to only certain products or product sectors. If a particular product from an Eastern country is of such a quality and price that it can be sold abroad in a competitive market, the foreign trade organizations of that country often do not permit that product to be exchanged in a compensation deal but will insist on selling it directly for hard currency.

These difficulties can occur in any of the Eastern countries but are more prevalent in countries where short-term, counterpurchase transactions are common, especially in Romania but also in Bulgaria and Czechoslovakia. Long-term deals of the buy-back variety, which are more common in the Soviet Union, can sometimes cause similar difficulties and create their own, unique difficulties, especially if they do not allow for changes in market forces over time. For example, specified quantities of resultant product may create excess supply and disrupt markets.

The continuing difficulties the Eastern countries are experiencing in generating hard currency reserves and in lowering their foreign debts make us believe that these practices regarding compensation transactions will continue and may even intensify in some countries. The effective implementation of WT.115 will help to lessen the problems caused by such practices.

Finally, Mr. Chairman, the U.S. delegation feels that there is a need for more study of the various forms of compensation transactions and their overall effects on international trade relationships. For that reason, WT.115 attempts to have more information made available about regulations and conditions applying to compensation transactions in all their forms. It also recommends that the ECE intensify its work in this area and makes a few suggestions on topics for further study. This additional work will help to determine the extent to which compensation transactions in all their forms affect the level of East-West trade and to indicate what else needs to be done to improve the situation.

In conclusion, WT.115 seeks to minimize the frequency of demands for compensation to the extent possible and to maximize the flexibility of remaining demands. This development would lessen the negative impact of compensation transactions on trade, in particular the bilateralism and potential for market disruption they create. WT.115 also seeks to make it easier for all firms, but especially for small- and medium-sized as well as new-to-market ones, to participate in trade. This, we believe, would facilitate the further development of East-West trade on a sound economic basis.

BASKET III SPEECHES

STATEMENT BY AMBASSADOR SAMUEL G. WISE
UNITED STATES DELEGATION TO THE
VIENNA FOLLOW-UP MEETING OF THE
CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE
IN THE SUBSIDIARY WORKING BODY ON
CO-OPERATION IN HUMANITARIAN AND OTHER FIELDS

JANUARY 27, 1987

Mr. Chairman,

This morning in plenary my head of delegation spoke about the startling array of new developments which have been occurring in the Soviet Union and which are popularly known to the world under the word *glasnost*.

Glasnost is still a new notion in Soviet society, Mr. Chairman. It is far too early to know how -- or if -- *glasnost* will affect Soviet society in the long run. Nevertheless, I do not think it is inopportune to examine a few areas in which *glasnost* has been conspicuously present -- and absent.

-- Andrei Sakharov and Elena Bonner were allowed to return to Moscow after almost seven forced years in Gorky. On his arrival in Moscow Dr. Sakharov spoke out frankly on a number of subjects including Soviet troops in Afghanistan, Soviet prisoners of conscience and the American Strategic Defense Initiative. Furthermore, Soviet officials gave Sakharov access to government TV studios for interviews with American TV networks. The Soviet authorities have also promised publication of an interview with Sakharov in the major Soviet newspaper, *Literaturnaya Gazeta*. Let's hope that this promise is kept so that the Soviet people will also be able to read Sakharov's views.

-- Soviet newspapers have shown a new willingness to discuss Soviet social problems, such as alcoholism, drug abuse, and juvenile delinquency. Now that the Soviet Union is at last willing to discuss these problems -- which all societies share to one degree or another -- perhaps the path will be open to work together to find ways to overcome them.

-- The Soviet press has also shown some willingness to describe major accidents. Pre-eminent among these, of course, is the tragic nuclear energy accident in Chernobyl. Initial

Soviet reaction to the Chernobyl tragedy was far from forthcoming. Later, however, the Soviet government adopted a much more forthright attitude. The Soviet press has also broken with tradition in describing other accidents such as the crash of a Black Sea cruise ship and a major mine disaster on Christmas Day in the Donbas. And we also have the Soviet press accounts of the events in Kazahkstan -- something that even a short while ago would have been hushed up and known to the world, if at all, only through leaked reports.

-- It is culture where the impact of glasnost has made itself most felt, Mr. Chairman. It almost seems as if every week another old taboo is broken. As a result, Soviet artists are filled with new hope that Soviet culture will finally break loose of its enforced torpor. Let us look at how this new approach made itself felt in various aspects of Soviet culture: A re-evaluation of the Soviet past is underway. Attempts are being made to come to terms with some of the monumental excesses and immense human tragedies of the Stalin period. A recent movie, "Repentence," made in Stalin's native area of Georgia, reveals some of the individual suffering of that terrible time.

Some past injustices to great Soviet artists and their work are being redressed. Boris Pasternak, Nobel Literature Laureate, long ignored and even reviled in his native land, now is the subject of a special official commission headed by Soviet poet Andrei Voznesensky. Recently, Voznesensky promised that Pasternak's great novel, Dr. Zhivago, will finally be published in the Soviet Union. Let us hope that other great and neglected works of Soviet literature will also soon see the light of day, such as the books of another Nobel laureate, Aleksandr Solzhenitsyn.

The greatness of Russian literature does not stop at the borders of the Soviet Union. The great Russian writer, Vladimir Nabokov, is finally beginning to get the recognition he deserves in the USSR. A Soviet chess journal has recently published excerpts from Nabokov's 1954 novel, Speak, Memory (also known as Different Shores). I hope that Soviet readers, among the most avid in the world, will soon have the chance to become acquainted with more of Nabokov's output.

Well-known Soviet poet Fazil Iskander introduced the excerpts by calling Nabokov a master of "sparkling language, unexpected metaphors, fierce expressiveness, (and) head-spinning accuracy in achieving literary tasks." These qualities, Mr. Chairman, are the stuff of much great literature -- and of a long and proud Russian literary tradition.

Another laudable recent Soviet initiative, Mr.Chairman, are moves to reach out to Soviet artists who have chosen to pursue their art in the West. I have in mind here the recent invitation to the great dancer, Mikhail Baryshnikov, to return to the Soviet Union to perform at the Bolshoi Ballet.

Official artists' unions play an important role in Soviet culture. Until recently, these unions were dominated by the watchdogs of the most orthodox Soviet culture. Within the past year, however, major changes have taken place. The Writers' Union congress discussed important literary problems, such as the need to address social change. The Cinematographers' Union elected as its head a dynamic and unorthodox film director, Elem Klimov. Many of Klimov's own films have fallen victim to the censor's heavy hand -- and Klimov has said he would like to set up a board to try to overcome censorship problems.

Finally, Mr. Chairman, the publication of the new Soviet entry and exit law -- which Soviet officials nevertheless are careful not to call an emigration law -- is a step towards greater openness.

As my delegation has said before, however, the new Soviet passport law is essentially a codification of past practice and appears to be more restrictive than past practice. Certainly the numbers of people allowed to leave the Soviet Union have not increased as yet. In the final analysis, this will be the test of the law. There are many who are eligible under the new law with close family in the West who continue to be denied, such as Naum Meiman. Still others, such as the Russian Evsyukov family, have suffered heavy penalties for even attempting to apply to leave the USSR. Although I was heartened to hear that Serafim Evsyukov was released from psychiatric hospital last week, his son, also called Serafim, is still imprisoned in a labor camp. What is the so-called crime of this Russian family? For daring to try to emigrate, even though they do not have relatives abroad.

Another case which confounds us, Mr. Chairman, and which seems to run counter to the new Soviet law is the case of Yuri Balovlenkov who is married to American citizen Elena Balovlenkov. Married in late 1978, Yuri and Elena have spent only a few short weeks together since then. Yuri has been denied the right to emigrate on grounds that, as a computer specialist, he would be a security risk if allowed to travel abroad. However, in early 1984 Soviet officials announced that these security concerns were no longer in effect. Despite such claims, Yuri is still in effect denied permission to leave the Soviet Union. The reason I say in effect is because Yuri has not gotten any response to his most recent emigration application -- submitted well over one year ago. How does the sad situation of the Balovlenkov family accord with the new laws recently published in the Soviet Union -- not to speak of basic human decency which denies a father the right to see -- let alone live with -- his child? Unfortunately, Mr. Chairman, despite the new look in Soviet policy there are all too many remaining examples which need to be resolved before we can form a better judgment on which way glasnost really leads and what it really means.

STATEMENT BY AMBASSADOR SAMUEL G. WISE UNITED STATES DELEGATION TO THE VIENNA FOLLOW-UP MEETING OF THE CONFERENCE ON SECURITY AND CO-OPERATION IN EUROPE IN THE SUBSIDIARY WORKING GROUP ON SECURITY

January 29, 1987

Madam Chairman:

In the course of our discussions here at Vienna, many delegations have touched upon implementation by the Soviet government of its human rights commitments under the Helsinki Final Act, the development of which, as the distinguished representative of Luxembourg has reminded us, "is the key to the success of the conference." Today, given some recent changes in the Soviet Union, changes stressed by the Soviet leadership, I would like to return to that subject.

First of all, there have been encouraging statements from the Soviet leadership expressing profound concern for human rights and humanitarian affairs and suggesting a new approach toward these vital areas. The Geneva Communique following the Summit Conference in 1985 between President Reagan and General Secretary Gorbachev noted "the importance of resolving humanitarian cases in a spirit of cooperation." Similar statements have been made by the General Secretary on other occasions firmly placing his leadership on the side of more humane policies.

And, in fact, a number of humanitarian cases have been resolved. But there are still hundreds more who wait for similarly humane action in their own cases. We hope that this is mainly a question of bureacratic delay and that the recent statement by Pravda editor Afanaseev concerning bureacratic obstructions in granting exit visas indicates an intention to do something about this problem. Bureaucratic obstacles are no less effective than political roadblocks when it comes to human rights and humanitarian issues.

Some other hopeful signs have emerged over the past year. For instance, when I spoke here on December 11 of last year, I remarked that if a Soviet citizen were to write or say the things that we and other Western delegates have been saying he would find himself serving a lengthy term of imprisonment for "anti-Soviet agitation and propaganda." I believe that this would still happen in the great majority of cases. I am, however, pleased to note that the Soviet press, at least, is becoming more open about some societal shortcomings.

We recognize that the new "openness" in the Soviet press has given Soviet citizens the opportunity to read about certain subjects that had for long been taboo. In his letter to General Secretary Gorbachev Nobel Laureate Andrei Sakharov wrote that "openness with respect to activities of government facilitates legality, justice, and consistency in action and leads to the legitimizing of the system." In his speech to the 27th Party Congress in February of last year, General Secretary Gorbachev stated that "the expansion of openness is a basic principle. The citizen has the right to know what the government is doing." Not that there is any joy in reading about corruption on the part of government officials, or natural disasters, drug abuse, juvenile delinquency, street disturbances, and the many other vagaries of human experience in the twentieth century, but such publicity may lead to reforms that benefit society as a whole. Such, at least, has been the experience in the West.

We have remarked in the past that our Soviet colleagues have often availed themselves of the freedom of our press when they wish to publicize Western shortcomings. We hope that the time may be approaching when the Soviet press will provide us with the same frank examination of shortcomings in Soviet society. For example, it is commendable that the Soviet press is taking notice of labor discontent at home, instead of acting as if labor unrest is exclusively a product of the West. We wonder, however, how long the adjective "hostile" will be used in connection with attempts to form independent labor unions in the Soviet Union. And we hope that some ten free trade union activists currently imprisoned in the U.S.S.R. will soon be set free.

We also note with interest that a recent issue of "Pravda" criticized former General Secretary Brezhnev. Will "Pravda" also begin openly to criticize the present General Secretary's policies or simply continue to censor some of his statements? Our Soviet friends say, "The first pancake is usually lumpy." We are hopeful that better pancakes are on the way.

We also read with interest of the recent revelations of KGB abuse of power in the Donets area of Ukraine. I believe that it is the first time in recent memory that the KGB has been publically accused of fabricating evidence against Soviet citizens. If evidence can be fabricated against a Soviet journalist, it can just as easily be fabricated against other citizens -- as many have argued in the West for years.

Will the new Soviet approach to these matters include review of the cases of human rights activists, political prisoners, religious worshippers, nationalists, and others who have been imprisoned for their beliefs? Of course, we all realize that the main role in these cases is the one played by the infamous Articles 70 and 190-1 of the RSFSR Criminal Code which are both in direct violation of Soviet commitments under the Final Act. Nevertheless, fabrication of evidence has always played a strong supporting role in the case of political prisoners.

We hope that revelations of police brutality might also extend to an examination of official brutality in labor camps and prisons towards political and other prisoners. The memory of the late Anatoly Marchenko and others are still too fresh in our minds. Even as we speak, two other prisoners of conscience in Chistopol prison, Sergei Grigoryants and Valery Senderov, are continuing Marchenko's fast to protest cruel conditions of detention. And we also fear for the lives of other prisoners, such as Anatoly Koryagin, Aleksandr Ogorodnikov, Balys Gajauskas, and Merab Kostava.

We are heartened to see that certain positive references toward religion in life are being expressed in the Soviet press by Russian writers concerned about the moral health of their countrymen. We hope that such positive references will extend towards all the religions of the peoples of the Soviet Union, including Islam and Judaism. Last June, we were heartened by progressive statements by Vitaly Korotich, Soviet delegate at the Budapest Cultural Forum and newly appointed editor of "Ogonyok" magazine, at the Congress of Soviet writers. Imagine our disappointment when we see anti-Semitic writings such as "The Web" by Tsesar Solodar appearing last year in the very same journal.

We are also mindful of the statement last October in New York by Mr. Konstantin Kharchev, Chairman of the Soviet Council on Religious Affairs, who told the "New York Times" that "the revolutionary process of democratization underway" would affect religious life in the Soviet Union. Thus far we have not seen any evidence to suggest a new attitude towards persecuted religious groups in the U.S.S.R., such as independent Baptists, Pentecostals, Seventh Day Adventists, Hare Krishnas, and Ukrainian Catholics, to name but a few. How, in addition, can we reconcile Mr. Kharchev's statement with the 12-year sentence imposed last September on Deacon Rusak whose main sin in Soviet eyes seems to have been his statement to the World Council of churches on the difficulties of the Russian Orthodox Church?

While the harsh sentence imposed on Deacon Rusak is totally at odds with Kharchev's assertions about the impending democratization of religious life in the U.S.S.R., another recent incident is more hopeful. There are reports that Kiev Baptist Pavel Protsenko was recently released after having been acquitted of "anti-Soviet slander." Until now, it was almost unheard of for a Soviet political prisoner to be acquitted by a Soviet court. We can only hope that this may mark the beginning of a trend.

We certainly welcome the return of Nobel Peace Prize Laureate Dr. Andrei Sakharov and his wife Dr. Elena Bonner back to Moscow. Furthermore, as far as we can learn, some 20 Soviet prisoners of conscience have received early releases during the past year. Compared with the past, that is some progress, but it must be viewed in light of the hundreds -- if not thousands -- still imprisoned for merely expressing unorthodox views in accordance with their rights under the Helsinki Final Act.

And so, Madam Chairman, in assessing the latest developments in the Soviet Union in the light of our mutual commitments under the Final Act, what we discover is a mixed and, in some ways, contradictory picture. In a few areas, we are pleased to note some incipient movement forward, in all areas an enormous way to go and in all too many areas continuing steps backward. Take, for example, the varying fates of the unofficial peace activists. Three peace or Trust Group members, Anatoly Cherkassov, Viktor Smirnov and Aleksandr Chukaev, are either serving long prison terms or are in psychiatric hospitals. Two others, Larisa Chukaeva and Nina Kovalenko, were recently released from psychiatric hospital. Nina was permitted to emigrate to the West. Still another member, Sergei Svetushkin of Leningrad was sentenced last week to a year of imprisonment for allegedly falling behind on child support payments. Could this, by chance, be another example of fabricated evidence?

Notwithstanding the fragmentary and inconsistent nature of the picture which is beginning to emerge in the Soviet Union, I suppose we should welcome even the smallest progress -- although we remember that such progress has been our common obligation since 1975. Nevertheless, we do welcome these tiny steps forward, mainly in the hope that they represent the beginning of a vastly more profound and long-lasting process.

SUMMARY STATEMENT
BY AMBASSADOR SAMUEL G. WISE
U.S. DELEGATION
TO THE
VIENNA FOLLOW-UP MEETING OF THE CSCE

January 30, 1987
Subsidiary Working Body "H"

Mr. Chairman:

As the first phase of Third Basket discussions draws to a close, I would like to offer some views about our work to date.

Our discussions have been thorough, frank and have actively engaged a broad range of delegations. As a consequence, the issues before us -- that is, the continuing and major failures to abide by Helsinki commitments-- are clear. I am pleased to say that there has been somewhat better dialogue than was the case at previous CSCE meetings, where Western delegations often felt they were speaking in a vacuum. During our exchanges here, some Eastern participants actually made some effort to respond to certain questions raised by other delegations. This should be recognized but at the same time it must be recognized that the overwhelming majority of questions went unanswered. For its part, my delegation has tried to reply in kind to questions and criticisms that Eastern governments have raised in a frank and businesslike manner. We will continue to seek information and hope other delegations will do likewise.

It is disappointing but not all that surprising that the respective Eastern and Western positions remain substantially the same, even if the tone and lines of argumentation have varied somewhat. In the Third Basket, as in the humanitarian dimension of the Final Act as a whole, we are dealing with many matters on which we continue to have fundamental disagreements: in Human Contacts, on the right to freedom of movement; in Information, on the right to freedom of opinion, expression and dissemination; in Culture and Education, on artistic and academic independence as well as respect for cultural identity and intellectual integrity. In short, the free flow of people, information and ideas.

But, here in our group, it is also evident that we are listening carefully to each other. The United States has paid close attention when our Eastern colleagues have said that the Third Basket is about practical measures to improve humanitarian cooperation. Indeed, the specific nature of the Third Basket's provisions should lend itself to problem-solving, an exercise in which my delegation stands ready to engage. In this context, we have also noted a greater willingness on the part of some Eastern delegations to review individual cases, albeit on a rather limited basis thus far.

We have heard with interest about recent decisions by Eastern governments which undoubtedly will affect implementation of Third Basket commitments. For example, full implementation of Czechoslovakia's announcement regarding the validity of foreign journalists' visas will be a clear-cut and welcome improvement. Much that we have heard in recent months from our Soviet colleagues would seem to indicate that there are changes being made or contemplated in the USSR that will have a bearing on Soviet compliance. We heard a great deal more about this subject in this morning's plenary from Deputy Foreign Minister Kovalev. Among the many interesting things he had to say, I was particularly struck by his announcement of a review either underway or about to begin of Soviet laws which infringe the human rights of the Soviet people. I sincerely hope that high on the list of legislation to be reviewed will be the notorious Articles 70 and 190-1 of the RSFSR Code under which many Soviet citizens have been imprisoned merely for exercising rights guaranteed under the humanitarian provisions of the Helsinki Final Act.

The USSR's cessation of jamming of the BBC Russian language service is a verifiable fact -- a fact as demonstrable as is the continued Soviet jamming of other foreign radio broadcasts in contravention of international agreements and our own Final Act. Much less apparent is how the new Soviet passport legislation will be applied in practice, which after all is the acid test in terms of our Helsinki commitments.

The Soviet representative has said that the new law has only been in effect for one month, so that it is not possible for us to make a fair judgment. Mr. Chairman, my government and other governments represented here hold long lists of people who are held in the Soviet Union against their will and who have the fundamental right to leave. Over the next several months we will trace how these cases fare. By tracking their progress we can form a better judgment on the new law and see how it measures up to claims made about it at this meeting, and to Soviet obligations under the Helsinki Final Act, the Madrid Concluding Document and other relevant international instruments.

As of now, we can only point sadly to the fact that in the month since the new legislation went into operation, we have evidence of cases where Soviet citizens, who have in the past have been permitted to apply for exit permission, are no longer able to do so because of the law's more restrictive criteria. This was recently the case of Mark Friedlin of Moscow, who has been a refusenik for eight years and was denied the right to re-apply only last week due to the new law's provisions on kinship. There are still others who meet the new criteria but whose applications continue to be refused. Such is the case of 55 year-old Cherna Goldort of Novosibirsk, who has been applying every six months to leave the USSR since 1975, the year the Helsinki Final Act was signed. Her only relatives, two daughters, reside in Israel. She is still denied an exit visa on grounds of "access to classified information" from an engineering job she had sixteen years ago. Even General Secretary Gorbachev has indicated that security considerations should not extend anywhere near this long.

In the final analysis, performance will tell. Our deliberations here in Vienna will go on long enough for clearer patterns of performance to emerge. Should the new law actually result in a significant liberalization of Soviet emigration practices, we will be among the first to recognize and applaud such a development. If, on the other hand, experience with the new law should fail to match the high expectations which the Soviet delegation has raised, no one should be surprised that such cruel hypocrisy will be exposed to the world at large. Let us hope that this new legislation does not fall precisely within the category of domestic laws infringing the human rights of the Soviet people about which Deputy Minister Kovalev spoke today.

In conclusion, I would have you recall that in my opening speech to this working group I talked about the need to open windows and doors to the freer flow of people, ideas and information. In the next phase of our work, my delegation, together with other delegations in our group, will put forward proposals aimed at doing just that. We intend that our proposals on Third Basket issues will have a direct bearing on the problems that have been identified during the implementation debate. And, we trust that the new policy of openness in the Soviet Union will produce a more enlightened approach in the area of new proposals as well. Such an approach will have to recognize as a first priority the need for measures to eliminate the gaping holes in the implementation of our Helisinki commitments in the humanitarian area. Only after these holes have been covered will it be time to turn our attention to new initiatives.

Thank you.

STATEMENT BY U.S. AMBASSADOR SAMUEL G. WISE
IN SUPPORT OF THE PROPOSALS WT 23 AND WT 24
ON HUMAN CONTACTS, TABLED FEBRUARY 10, 1987

"H" GROUP

Mr. Chairman:

The United States is pleased to join in sponsorship of Proposals WT 23 introduced by the Federal Republic of Germany and WT 24 introduced by Norway. Both are geared toward improved implementation of the Helsinki Final Act and the Madrid Concluding Document in the sphere of freedom of movement and the broadening of human contacts.

The point of departure for these proposals is the fundamental human right of every person to leave his or her country and to return to it. Within this general context, Basket III of the Final Act offers specific solutions to humanitarian problems in the field of human contacts. Mr. Chairman, humanitarian problems and humanitarian considerations are precisely the subject of these proposals.

Proposal WT. 23 addresses our long-standing goal of family reunification and provides specific measures intended to ease the burden of applicants.

Mr. Chairman, in the turbulent world in which we live, all too many families have been split apart. In Helsinki and Madrid, the states represented here dedicated themselves to providing those families the possibility of reuniting. A number of our governments have failed to apply that dedication to implementation. This failure has given rise to tragic personal situations, such as that of Boris Yelkin, a Leningrad refusenik whose 75-year-old father lives alone in Israel waiting for his son and family as they attempt to clear the many hurdles placed in the path of potential emigrants from the Soviet Union. Or the fate of Yakov Rabinovich, whose two children have lived in the United States for the past seven years while he waits to receive exit permission, which was already promised by Soviet authorities at the Bern Human Contacts Experts Meeting.

Mr. Chairman, the path toward emigration from many of our member countries is laden with formidable obstacles. Many applicants are never even able to apply for emigration, let alone qualify, because of bureaucratic demands imposed on them. This proposal advances concrete suggestions to alleviate these problems, including the extension of the validity of application forms and the easy accessibility of all required application documents. Furthermore, the proposal requires that in the case of a refusal, the applicant be provided with a written explanation, and that he have the opportunity to rebut incriminating or disqualifying evidence offered by the authorities. Applicants would also be able to present evidence in their own behalf, and to have their applications reconsidered within one month. Such a proposal is designed to eliminate the hardship of people such as Soviet citizen Leonid Zeliger, who was told in 1986 that his application for emigration was refused because it was not in the interest of the state and that his file was permanently closed. Perhaps others, such as Aba and Ida Taratuta will be able to rebut their ten-year-old refusal on grounds of access to government secrets, when in fact neither ever had access. Still others would be able to question the validity of exit refusals based on access to secrets 10, 15 or more years ago -- something that even General Secretary Gorbachev indicated is excessive.

Proposal WT. 24 concerns expeditious processing of cases of an urgent humanitarian character, including travel to visit a seriously ill or dying family member. The proposal also addresses travel of the aged and those with urgent medical needs. In this connection, we have today before us the tragic consequences of state enforced travel delays in the death of Inna Meiman.

The plight of Yuriy and Nelli Shpayzman is similarly tragic. The Shpayzmans have been applying for many years to join an only daughter and the grandchildren they've never seen. Mrs. Shpayzman also wishes to be reunited with her elderly parents and brother. Mr. Shpayzman is dying of cancer and his only wish for his remaining days is to see the grandchildren that the Soviet Government has prevented him from meeting. For some inexplicable reason, the Shpayzmans, who are both pensioners, have been consistently refused permission to leave the Soviet Union.

Another aspect of the proposal relates to travel to attend the funeral or visit the grave of a family member. Mr. Chairman, we have spoken much at this meeting about separated families. In our living memory, we have seen families torn apart, scattered and victimized by the violence of revolution and war. Many have been laid to rest in the soil of their birth, others in the soil of new lands that gave them shelter. Some fell on foreign ground. Others are but ashes or lie in unmarked graves. The proposal we have put forward today acknowledges that times and places of family remembrance and sorrow should not be subject to government interference. They are private occasions in which the inherent dignity of the human person, as enshrined in the Final Act, should be respected by all civilized nations.

Mr. Chairman, times of family joy are also private moments which should not be marred or missed due to bureaucratic meddling. Travel requests for visits in cases of important family matters such as births, marriages, religious or civil ceremonies and other important family occasions should be favorably and expeditiously processed. These universal rites of passage are common to The Family of Man and were celebrated long before governments and national boundaries were established. Again, as is recognized in the proposal, humanitarian considerations should be paramount on such occasions.

The proposal also refers to travel for important public and religious holidays. Mr. Chairman, we have heard much about sharing the fruits of European culture at this meeting from a large number of delegations. The adoption of this proposal would go far toward acknowledging this in practice. The fabric of a culture is woven from common threads of history and tradition. Participation in public and religious events can strengthen old ties and weave new patterns of interaction between citizens of East and West.

The frequent practice in many East European countries not to permit all family members to travel together simply defies the Final Act's family visit provisions. In essence, one part of the family is held hostage to ensure the traveller's return from a family visit. As is spelled out in this proposal, removing obstacles to the ability of members of a family to travel together for family visits is a necessary step in fulfillment of the human contacts provisions of the Final Act.

Lastly, our proposal provides that special attention be given to exit requests to reunite minor children with their parents. I am certain that all of our governments give children special protection under law. Hence, it is only fitting that the CSCE accord them special consideration as well. I can imagine few instances where the state could justify prolonging a separation of parent and child. Such, however, seems to be the situation in the case of Elena and Yuri Balovlenkov. Elena, a nurse from Baltimore, and Yuri, her husband in Moscow, have been separated by actions of the Soviet Government for the greater part of eight years. Yuri saw their elder child Katya for the first and last time when she was three years old. He has never seen his younger daughter Masha. What overriding reason could there be to keep this father any longer from joining his wife and children in the United States?

Unfortunately, there are many similar cases. My delegation recently received a report about Mikhail Beizer who has waited for eight years to leave the Soviet Union in order to join his American citizen wife, Donna, and to see his son. Alek, Mr. Beizer's son, is preparing for the Jewish ritual of becoming a man, the Bar Mitzvah, but it seems that without prompt action by the Soviet Government, he will cross that important threshold without his father present.

Mr. Chairman, in closing, I would also point out that the various aspects of these proposals which I discussed today are not new. They were proposals which my delegation and other delegations put forward at the Human Contacts Experts Meeting in Bern. Unfortunately, they were not deemed acceptable at that time by a small number of delegations. Let us hope that they will find acceptance in Vienna. We have heard much recently from all delegations about the importance of humanitarian cooperation. Adoption of the proposals I have outlined above, without significant change, would be a welcome sign of sincerity in this area.

Thank you.

AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
STATEMENT ON PROPOSAL WT. 53
H Group
February 17, 1987

Mr. Chairman:

My delegation is pleased today to support the human contacts proposal WT. 53 introduced this morning by the delegations of Canada, the Federal Republic of Germany and the Netherlands. The proposal complements proposals WT. 22, 23 and 24, regarding, respectively, freedom of movement, exit procedures and the humanitarian consideration of exit requests. The fundamental right of a person to freedom of movement -- the citizen's right to leave and return -- should override other considerations such as conflicting nationality claims, the political relationship of the citizen's government with that of his country of preferred settlement and a state's attitude towards another member of the would-be traveller's family.

During the last phase of our meeting on November 28, I referred to the particular problems of the small number of persons who are recognized as nationals of more than one state. The main problem which my country has in this connection involves about twenty such persons who have a legitimate claim to U.S. citizenship and who live in the Soviet Union. Almost none of them qualify under the new Soviet legislation for exit permission as most no longer have close relatives in our country. Take the example of Abe Stolar and his family. Mr. Stolar, who is an American citizen by virtue of being born in the United States, was a boy when his family settled in the Soviet Union more than fifty years ago. For more than a decade, Mr. Stolar has attempted to gain exit permission from the Soviet Union for himself and his family. He once received a visa only to learn at the airport on the verge of departure that it had been revoked. Visas subsequently have been offered for himself and his son, but not for his son's fiancee. It would seem to us that the compassionate and humanitarian course of action would be to permit them all to leave.

Vytautas Skuodys is another case of a person with dual American-Soviet citizenship who wishes to travel to the United States. Although born in the United States, he has been refused permission to leave the USSR in order to return. We are pleased, however, at recent reports that he has been released from the labor camp where he was serving a sentence for exercising religious freedoms guaranteed in the Final Act.

I recall that in November I appealed to the distinguished Soviet delegate for the resolution of pending dual national cases in order to remove this irritant from our bilateral relations. The failure of his government to respond to this appeal demonstrates, in our view, the need for a proposal such as WT. 53.

The second component of the proposal addresses the problem of state interference in the matter of family reunification. In particular, the proposal aims to eliminate actions by governments to prevent emigrating citizens from choosing their country of destination. Attempts by some Eastern participating states arbitrarily to limit travel and emigration have been well documented here. Limitations to certain categories of individuals, restrictive definitions of kinship and what constitutes reunification of a family, and disregard for the wishes of the traveller are all problems in this area.

Therefore, WT. 53 calls upon the participating states to give primary importance to the wishes of the parties desiring to be reunited, in particular their wishes in regard to the country of settlement which has declared its willingness to accept them, in facilitating the exit of persons for the purpose of family reunification. Therefore, WT. 53 calls upon the participating states to give primary importance to the wishes of the parties desiring to be reunited, in particular their wishes in regard to the country of settlement which has declared its willingness to accept them.

Lastly, adoption and implementation of proposal WT. 53 is designed to ensure that the old biblical prohibition against holding the son accountable for the sins of the father does not apply in our CSCE process. Yet, this is often the case. Take for example Galina Goltsman and Olga Michelson. In 1956 their husband and father, respectively, Anatoliy Michelson left the Soviet Union. True, my Soviet colleague will say that Michelson defected, and has therefore been in the United States illegally. However, Michelson has long since become an American citizen, and in the overwhelming majority of our participating states, his action would not even remotely have been considered illegal. Therefore, we have proposed in WT. 53 that, in cases such as Mr. Michelson's, travel decisions by our governments not be prejudiced by the circumstances of a relative's departure from his native land.

Mr. Chairman, adoption of proposal WT. 53 by all participating states would greatly enhance the human contacts provisions of the Helsinki Final Act and the Madrid Concluding Document. Its implementation would eliminate some of the major problems that confront citizens who endeavor to exercise their basic right to freedom of movement. I would urge all countries represented here to give it favorable consideration.

Another proposal I want to mention today is WT. 19 -- a proposal on the human dimension of the Helsinki Final Act. My delegation is a co-sponsor of this proposal along with many other delegations. We believe its adoption could lead to a significant improvement in the implementation of the human dimension provisions of the Final Act and the Madrid Concluding Document -- provisions included both in the decaloque of principles and in Basket III. This proposal provides for a conference which puts progressive pressure on all participating states to live up to their freely-entered human dimensions commitments. Consequently, dealing with our past commitments and thus having an enormous impact on possible future commitments, this proposal has primary significance for our meeting.

In conclusion, Mr. Chairman, I submit that these proposals go to the heart of the CSCE process. The first proposal on the contribution of individuals and groups further expands on their valuable role. The second proposal on persons in confinement tries to lessen the abuses of state power in relation to prisoners. The third proposal on minority rights attempts to safeguard the individual's cultural heritage. The fourth proposal calls for the creation of machinery to ensure compliance with our obligations in the human dimension area of the CSCE. Together, they provide a powerful stimulus to all participating states to honor their obligations in the human dimension of the CSCE process. Lack of success in this area could make progress in other areas much more difficult, if not impossible to achieve.

Thank you, Mr. Chairman.

AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
STATEMENT ON THE DETENTION OF VACLAV HAVEL
H Group
February 17, 1987

Mr. Chairman:

I had not planned today to return to issues introduced by my distinguished Czechoslovak colleague yesterday, because I am aware that a member of my delegation has already provided an adequate response. Unfortunately, however, events in Prague of this morning compel me to speak on this matter.

This morning, the delegation of U.S. Congressmen, led by the Chairman Steny Hoyer of the U.S. Commission on Security and Cooperation in Europe, which visited this body last week, had arranged to meet with Czechoslovak private citizens including human rights activists and government officials. Congressman Hoyer has informed us a short while ago that one of the most prominent of those activists, Vaclav Havel, a playwright, founding member of Charter 77, and recent recipient of the prestigious Erasmus Prize, was forcibly prevented from attending the meeting and was taken into police custody a block away. His current fate is unknown.

I wish to stress that this action against Mr. Havel is directly contrary to the assurances we all heard yesterday in this meeting and on Friday in the plenary, that all delegations, including Congressman Hoyer's delegation, are free to meet with those Czechoslovak citizens with whom they choose. It is sadly ironic that only yesterday the Czechoslovak delegate alleged that "so-called human rights activists" in his country reside in "villas", and only today one of the most prominent of them is in police custody merely for wishing to meet with foreign dignitaries.

We would welcome an explanation and immediate action from the Czechoslovak delegation and authorities in this deplorable and incomprehensible situation

Thank you, Mr. Chairman.

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FOLLOWING IS A PRESS STATEMENT ISSUED BY THE U.S. DELEGATION ON THE DETENTION OF VACLAV HAVEL

This morning, Vaclav Havel, a prominent Czechoslovak human rights activist, was detained by police on his way to a meeting with a U.S. Congressional delegation in Prague.

Vaclav Havel, a Czechoslovak playwright, was a founding member of the human rights monitoring group, Charter 77, and recipient of the prestigious Erasmus Prize for 1986.

Mr. Havel intended to meet with a delegation led by Congressman Steny Hoyer, Chairman of the Commission on Security and Cooperation in Europe. Also on the delegation are Congressmen Chris Smith and Albert Bustamante.

The U.S. delegation to the Conference on Security and Cooperation in Europe immediately protested this action against Mr. Havel to the Czechoslovak delegation at the Vienna meeting of the CSCE. The U.S. delegate noted that this violation of Mr. Havel's rights is directly contrary to the Helsinki Final Act and to assurances given to U.S. officials recently at the Vienna meeting that U.S. delegations would be able to meet freely with human rights activists in Czechoslovakia.

STATEMENT BY U.S. DELEGATE LYNNE A. DAVIDSON
TO THE VIENNA MEETING OF THE CSCE

H Group

March 16, 1987

On the Jazz Section and Cultural Freedom

Mr. Chairman:

Last Friday in Plenary, Ambassador Wise discussed the significance of the Jazz Section trial in Czechoslovakia for the Vienna Meeting. The trial's implications for our First Basket discussions are clear. In view of the treatment accorded the Jazz Section members, all of whom were convicted for "operating an illegal enterprise", the need for adoption and implementation of Western proposals WT. 38 on respect for the contribution to the Helsinki process of private individuals and independent groups and WT. 39 on the rights of persons in confinement, now under discussion in Drafting Group "S", are apparent. As many delegations have had occasion to point out, the Jazz Section carried out its activities openly and well within the framework of the principles and provisions of the Helsinki Final Act.

The relevance to the Jazz Section of our Third Basket deliberations is also evident. Western proposals WT. 29 and 54 on creation, dissemination and cooperation in the field of culture are particularly pertinent to the work of the Jazz Section, the high quality of which even was noted by the presiding judge at the trial. Proposal WT. 29 would pledge participating States to encourage, facilitate or support the initiatives which individuals, official institutes and non-governmental organizations such as the Jazz Section wish to undertake to promote the aims of the CSCE in the field of culture. Further, WT. 29 stipulates that such activity be conducted freely and without censorship. WT. 29 also ensures freedom of travel for cultural figures and culturally-oriented groups. And, WT. 29 provides that meetings of individuals, institutions and organizations active in the field of culture and devoted to promoting freedom of expression not be impeded. WT. 54 calls upon the participating States, among other measures, to remove legal and administrative barriers to cultural creation and dissemination.

Mr. Chairman, on January 26, twenty-six prominent American writers, artists and musicians joined their British colleagues in a petition protesting the persecution of their Jazz Section colleagues. Among the signatories were U.S. cultural figures Edward Albee, the playwright, and Billy Taylor, the jazz pianist, who served as members of the U.S. Delegation to the Budapest Cultural Forum. The petitioners urged the Czechoslovak Government "to cease prosecution of the Jazz Section and, most importantly, to recognize and restore its legal existence as part of the Union of Musicians." My delegation associates itself with that appeal.

During the Budapest Cultural Forum, I and other members of my delegation as well as representatives of other delegations around this table had the honor to meet with two Jazz Section representatives who had travelled to Hungary for the occasion. Like other representatives of unofficial citizens' groups who flocked to Budapest--like the hundreds of private citizens who have come to Vienna for our review meeting--Jazz Section leader Karel Srp and Executive Committee Member Cestmir Hunat came to present their views on the cultural issues under discussion at the Forum. Srp and Hunat had a keen interest in CSCE and its future, which they saw as offering opportunities for Czechoslovakia's culture to become better known in other countries and for the bounds of cultural freedom to expand within Czechoslovakia itself.

The Jazz Section had been subjected to increasing pressure at home for persevering in its activities despite the 1984 banning order. It boldly continued to respond to the interests of its dues-paying membership instead of conforming to the strictures imposed by the authorities responsible for cultural affairs. Srp and Hunat were aware that they were running a further risk by coming to Budapest and that they could face punitive measures upon their return to Czechoslovakia. Nonetheless, they were determined to exercise their Principle VII right "to know and act upon their rights". Such was their selfless commitment to cultural freedom and the Helsinki process. Srp has just been given a sixteen month sentence. Hunat received an eight month suspended sentence and three years probation.

Mr. Chairman, I had the pleasure personally to meet Srp and Hunat in Budapest. I understand that among the charges levelled against the Jazz Section members was running an illegal commercial enterprise. I find that highly ironic. Personal enrichment was never the object of the Jazz Section's activities, nor was it the result. In Budapest, I remember how Srp and Hunat gallantly insisted on buying me cups of tea in the Budapest cafe where we met. I remember feeling both touched and embarrassed at the gesture, because they could ill afford the expense; it was evident that they were barely making ends meet for the short time they were in Hungary.

In parting, Srp and Hunat left me with an unforgettable impression of their integrity and commitment to Helsinki ideals. They also left me with two small tokens of friendship--a bouquet of red chrysanthemums and a copy of Jaroslav Seifert's Nobel acceptance speech, a work which had been officially suppressed by the authorities but printed unofficially by the Jazz Section. To me, these simple but eloquent remembrances of our meeting were symbolic of the grace of Czech culture and of the hopes in Czechoslovakia for a flowering of cultural freedom. Mr. Chairman, the Jazz Section has enriched the culture of Czechoslovakia. Its relevant and positive contribution to the CSCE process in the field of cultural freedom should be acknowledged and appreciated by all of us here.

Thank you, Mr. Chairman.

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Bulgaria and the Soviet Union exercised rights of reply on silent Czechoslovakia's behalf. Bulgaria questioned the accuracy of the U.S. delegate's memory as well as the relevance of her personal recollections to the Vienna Meeting. The Soviet Delegate stated that the Czechoslovak Government already had adequately addressed the subject of the Jazz Section. He said it was strange that the American Delegation would broach the issue at all, given that the United States "is not able to ensure the security of foreign artists performing in the United States, or even American performers for that matter." He then referred accusatorily to the murder of Beatle John Lennon.

The U.S. right of reply follows:

"I can assure the Bulgarian delegate that my memory is quite clear. Contrary to his inference, the events in question did not take place in the distant past, but as recently as the Budapest Cultural Forum in the fall of 1985. As everyone here around this table has had occasion to stress, that was a significant meeting for the CSCE process. The problems of creation, dissemination and cooperation discussed in Budapest provide a framework for our current "H" Group discussions. Furthermore, the recollections described in my statement also are common to other delegates in this room, who shared the pleasure of meeting the Jazz Section representatives in Budapest. Having met with the Jazz Section members in my capacity as a U.S. Delegate to the Cultural Forum, the account I have given of the nature and significance of the exchanges also represents the view of my government and is not merely my own thoughts on the matter.

"With respect to the remarks of my Soviet colleague--the American people also mourn the tragic and untimely death of John Lennon. My delegation is pleased to hear that the Soviet Government has a deep appreciation for his music. That was not always the case. Incidentally, the Soviet delegate might be interested to learn that throughout the trial the crowd of Jazz Section supporters which had gathered outside the courthouse are reported to have chanted the Lennon song "All we are saying, is give peace a chance". Clearly, the Jazz Section and its sympathizers understand the essential connection between respect for human rights and peace. Respect for human rights, for freedom of expression, is an essential ingredient of security and cooperation in Europe. That is the important premise upon which our Helsinki process is built."

AMBASSADOR SAMUEL G. WISE
U.S. DELEGATION TO THE VIENNA MEETING
OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE
STATEMENT ON FREEDOM OF MOVEMENT AND HUMAN CONTACTS
"H" Group
March 17, 1987

Mr. Chairman:

My delegation has followed with interest the discussions over the past few weeks concerning Western proposals WT. 22 on freedom of movement and WT. 23 and 24 on human contacts. We have also noted the exchanges between the Swiss and Austrian authors of WT. 9 and several Eastern delegations, wherein the Neutral sponsors stressed the fundamental right to leave and return to one's country. I would like to associate my delegation with the helpful comments made by the British, French, FRG, Italian, Danish and Dutch delegations, who also have made the important distinction between the fundamental right to leave and return as enshrined in international documents such as the U.N. Universal Declaration, and problems of entry, which have never been accorded in any international body the same status.

Proposal WT. 22, now under discussion in the "S" group dealing with Human Rights principles, provides, we believe, a clear exposition of the minimum needed in order to implement the freedom of movement component of the Seventh Principle. The key provision of WT. 22, in our view, is that calling for the abolition of exit visas. Exit visas, by definition, assert a State's prerogative to restrict the right to leave and are therefore totally contrary to our commitment under Principle VII.

Mr. Chairman, ours is a country which has signed but has not yet ratified the U.N. Covenant on Civil and Political Rights, as some delegations here have had occasion to point out. We hold that we are nevertheless in substantial compliance with this Covenant. We are certainly in compliance with Article 12(2) of the Covenant which almost exactly reproduces the wording of the Universal Declaration on the right to leave and return.

Frankly, my delegation is puzzled both by the Soviet Delegation's reluctance to refer to substantive U.N. Declaration commitments and by its argument that the Declaration is not legally binding. Neither is the Final Act, Mr. Chairman. Both are documents of serious political intent. Would the Soviet Union assert that the Final Act commitments are less than binding in a political sense? In his November 5 opening speech to the Vienna Meeting, Soviet Foreign Minister Shevardnadze referred to the Universal Declaration in clear and respectful terms. He said: "In our view, a fundamental document of the United Nations, the International Bill of Human Rights, has been unjustly forgotten. This unique and universal code established the rules of conduct of States..." Clearly, Mr. Shevardnadze's words indicate that the USSR attaches great importance to the Universal Declaration. Why its words on freedom of movement are not acceptable to the Soviet Delegation for inclusion in a document at the Vienna Meeting are incomprehensible to my delegation. This mystery is compounded by the fact that, as the Soviet delegation likes to point out, the USSR has also signed the U.N. Covenant which contains precisely the same commitment on freedom to travel.

The Soviet delegate also has stated that WT. 22's provision that written explanations be given for refusals is bureaucratically burdensome. This requirement should present no problem to a State in conformity with the Universal Declaration, or, I might add, with the Covenant. It is rather the huge bureaucracy built up around the requirement for exit permission that is so burdensome for all concerned. Besides, in keeping with international commitments, refusals should be the rare exception and not the rule.

Proposal WT. 23 on human contacts addresses such procedural questions in a specific and comprehensive manner. None of us here, Mr. Chairman, are in favor of creating bureaucracies. In general, we are for dismantling them, especially when they exist to restrict basic freedoms. We are also realists and recognize that such bureaucracies do exist among our States and that the citizens who have no choice but to deal with them should at least be given a means to ensure that they can do so with a minimum of difficulty with a full knowledge of the laws, regulations and administrative procedures governing exit decisions by their governments as well as an understanding of their rights of appeal.

Proposal WT. 24 takes the matter a step further and begins to deal with the situations that arise which require humanitarian consideration by governments. The proposal envisages circumstances under which governments should intercede to facilitate the exercise of the right to leave. In addition, and due to the humanitarian nature of such cases, the proposal also foresees situations which would obligate governments to consider expeditious granting of entry permission.

In this connection, what concerns us is that the new exit-entry legislation in the Soviet Union is built on the premise that a government has the prerogative to control the movement of its own citizens (as opposed to the travel of foreigners into its territory). This fundamentally restrictive premise is also applied restrictively in practice. I merely will cite two recent examples, which not only run counter to international commitments but appear contradictory even to the new Soviet exit policy.

I am pleased to acknowledge that a good number of divided spouse and binational marriage cases have been resolved in recent months by the Soviet Government. Yesterday, however, my delegation learned that Victor Faermark, husband of U.S. citizen Andrea Wine, again was refused permission to emigrate last Thursday on the same old grounds of security. Mr. Faermark has not had access to any sort of classified information since he first applied to emigrate in 1971 and consequently was fired from his job. Secretary Gorbachev and other Soviet officials have stated publicly that 10 years would be sufficient "declassification time" to permit emigration. When will the visa bureaucrats begin to listen to their leaders?

The next case is well known to the delegates here. Ida Nudel, Jewish refusenik activist, has waited sixteen years for her exit permit. Despite repeated denials on grounds of secrecy, she never has had access to classified information. Even if the assertion of secrecy were not groundless, Ms. Nudel surely has not worked in any capacity permitting such access for the sixteen years she had been under harassment, exile and effective isolation. By any standards--whether the new Soviet law or the Covenants or the U.N. Declaration--Nudel should be permitted to join her sister in Israel.

In closing, Mr. Chairman, I would only reiterate the importance my government and the other sponsoring governments attach to WT. 22, 23 and 24. Their acceptance here would demonstrate our adherence to our commitments and to the fundamental right to freedom of movement. Their implementation would demonstrate our fidelity to the letter and spirit of the Final Act as well.

Thank you, Mr. Chairman.

STATEMENT BY
JAMES GLENN, U.S. DELEGATION
ON FREEDOM OF MOVEMENT
H Group
March 18, 1987

Mr. Chairman:

I would like to comment on WT. 53, of which my country is a co-sponsor.

Before doing so, however, I would like to make several observations about our work. As my distinguished colleague from the German Democratic Republic observed two days ago in this room, our assumption is that most, if not all, proposals are serious. Indeed, if such were not the case, our work would come to an immediate end since to pursue it further would be to engage in a farce. I must, therefore, ask what the purpose of the interventions of the delegations of several participating states concerning my delegation's proposals is. Charges of confrontation imply that our proposals are not serious. I assure my colleagues that they are. One must distinguish between "attack" and a "statement of fact." The purpose of our proposals is to facilitate compliance with the obligations voluntarily assumed by all the participating states. In discussing our proposals, we explain the need for them and illustrate our explanations by citing specific examples of non-compliance. This procedure is not confrontation; rather, it is reality. Like it or not, those participating states which have poor records of compliance with their obligations will have this fact brought to their attention. Charges of confrontation, therefore, seem to my delegation really to be attempts to deflect attention away from this failure to comply with obligations.

This said, Mr. Chairman, I have a few comments about the proposal I mentioned at the beginning of these remarks.

WT. 53, tabled on February 17 by the delegations of Canada, the Netherlands, and the Federal Republic of Germany, as well as by those of Belgium, France, Portugal, Spain and the United States, is intended to facilitate compliance with the provisions on human contacts of Basket III of the Helsinki Final Act. One problem is that of dual nationals, persons who are citizens of two or more of the participating states. These individuals have the right to live in the country of citizenship of their choice and should be able freely to leave the country of their residence in order to take up residence in another country of which they are citizens. Unfortunately, some dual nationals are denied this right in practice. Allow me to cite some examples. Seventeen American citizens resident in the Soviet Union may not leave it to move to the United

States. Some of these American citizens, such as Abe Stolar, an aging refusenik, were taken as adolescents by their parents to the Soviet Union. Soviet authorities confiscated their American passports shortly thereafter and informed them that they would have to become Soviet citizens. These children had no choice. When they as adults decided to return to the United States, they were prevented from doing so. A problem exists, and it is only for this reason that we raise this matter.

WT. 53 is also intended to facilitate family reunification, another obligation under the Final Act, by giving "primary importance to the wishes of the parties desiring to be reunited, in particular their wishes in regard to the country of settlement which has declared its willingness to accept them, in facilitating the exit of persons for the purpose of family reunification." My distinguished Soviet colleague recently asked what the term "country of settlement" means. The language may not be as elegant as one might desire, but the meaning seems clear. We would be happy to work with our Soviet colleagues to draft better language if such would help to resolve their doubts. Here again, we support this provision of WT. 53 because a problem exists. For example, the Soviet Union often cites the wishes of others, be they parents, employers, or former spouses, to deny the fundamental right to leave. The Soviet Union has also sometimes used the putative emigrant's intended destination as a pretext on which to deny permission to emigrate.

WT. 53's last paragraph on possible prejudicial treatment of applicants based on the circumstances in which a family member may have left the country in question also seeks to resolve a problem. Again, the Soviet Union has told some Jewish applicants for emigration that they will not receive permission owing to the decision of family members to go to the United States instead of Israel. Likewise, Soviet authorities have often denied permission to those whose family members "illegally" left the country or decided not to return once abroad. Which is to say that they left the country without an exit visa or stayed abroad without permission.

Mr. Chairman, WT. 53 is, in our opinion, a good proposal, the acceptance of which would give a strong impulse to compliance with Helsinki obligations. Of course, as already noted by other distinguished colleagues, this proposal would be unnecessary if all the participating states simply allowed freedom of movement.

Thank you, Mr. Chairman.

STATEMENT OF AMBASSADOR SAMUEL G. WISE
"H" GROUP
March 19, 1987

We have noted that there appears to be considerable support, including support from individual members of different groups, for proposal WT. 6, offered by Austria and Poland for a cultural meeting in Krakov.

Our delegation is also studying this proposal along with many others calling for follow-up activity of one kind or another. It contains some interesting elements.

At the same time, since we can only agree to a limited number of follow-up activities, and naturally we are partial to proposals which we have proposed ourselves, we must judge this proposal against other proposals in a number of ways. Here are some of our considerations at this point. First, judged against other proposals, does it make a significant contribution to the central aims and needs, including improved implementation, of the CSCE process. In other words, is it an important or merely marginal proposal.

Second, is it a follow-up activity which must be done within the CSCE or should it be done outside by a private sponsor. Third, does it duplicate other activities. Fourth, and most important, in the selection of the site for such follow-up activity, can we be sure that the traditions and precedents of the CSCE will be maintained as far as concerns the atmosphere in which the meeting will take place. We have noted previously at the Vienna meeting, for example, our disappointment at certain measures taken by the Hungarian authorities in connection with the Budapest Cultural Forum. We would want to be assured that such things are not repeated.

For all these reasons, we will be in a better position to make a final judgement on the Krakov proposal toward the end of the Vienna meeting.

Mr. Chairman, my delegation said yesterday that we would respond to the comments of the distinguished Soviet delegate in the very near future. I am prepared to do so today.

I regret that we erred yesterday in stating that 270,000 Soviet Jews have emigrated to the United States. As my Soviet colleague noted, that is the approximate total of Soviet Jews who have emigrated from the Soviet Union. Approximately 165,000 of these individuals live in Israel; the other approximately 100,000 live in the West, primarily in the United States. The point my delegation was making yesterday, however, remains valid: namely, that the United States has absorbed an enormous number of recent Soviet emigres and is prepared to accept many more. Whether they went to Israel or on to the United States, these Soviet Jews exercised their right of free choice and found that they were welcome in their country of choice.

My Soviet colleague, reading from the Final Act, also continued to maintain that free entry into a participating State is a Helsinki obligation. The language of the Act he quoted reads as follows: "The participating States...intend ...gradually to simplify and to administer flexibly the procedures for exit and entry..." By any reading of this language, it does not imply that there is a right to enter. Nor does any other language in either the Helsinki Final Act or the Madrid Concluding Document.

Statement by
William H. Hill
U.S. Delegation
to Drafting Group H
Tuesday, March 24, 1987

Mr. Chairman, today I would like to address a number of proposals in the field of human contacts and family reunification. Given the excellent language and far reaching commitments of the Final Act and the Madrid Concluding Document in these areas, one might legitimately question why further proposals, with new language and commitments, are necessary. However, despite the commitments which we all undertook at Helsinki and Madrid serious problems and impediments still exist to family reunification and visits, and independent human contacts in general. In view of these problems, my delegation has co-sponsored three proposals -- WT-23, WT-24, and WT-53 -- which are aimed at rectifying persistent failings in implementation of earlier commitments.

Both the Final Act and the Madrid Concluding Document call upon the participating states to deal favorably with applications for family reunification and marriages between citizens of different states. In this light, we were happy to learn recently that Mikhail Bogomolov of Leningrad received permission to join his wife Tammy Ressler in the United States. Similarly it was good news that Marina Vcherashnyaya, after a wait of two a one half years, received permission last week to travel to the U.S. to marry her fiance, Professor Barkley Rosser.

If all such applications were greeted positively, Mr. Chairman, there would be little need for proposal WT-23. However, there are still a number of individuals for whom the promises of Helsinki and Madrid remain unfulfilled, who would be helped by specific commitments in WT-23:

--First, adoption and implementation of WT-23 would commit all states to approve such cases within one month. This would end the sad phenomenon of delays of years for loved ones to be united.

--Second, persons denied permission to join their spouse, family or fiancees would be able to reapply quickly, within one month, and to appeal denials of their applications more expeditiously.

--Third, there would be a periodic review of outstanding cases, which would surely provide impetus for favorable action on a greater number of them.

For example, such provisions for appeal, reapplication and periodic review might help a number of persons who have waited for years to be united. Elizabeth Condon, a Russian teacher from Massachusetts, has waited since 1979 to be allowed to marry her fiance, Viktor Novikov of Moscow. The "reasons" which prevented their marriage have long since been recognized by Soviet authorities as specious, but they still await that "favorable action" promised at Helsinki and Madrid. Elena Balovlenkov of Baltimore has been married to her husband, Yuriy Balovlenkov of Moscow since 1978. They have two small children, one of whom Yuriy has never seen. Local authorities simply gave no answer to his last application to emigrate. Or there is twenty-three year old Svetlana Braun of Moscow, married to Keith Braun of Detroit in 1984. Since that time local authorities have refused without explanation all her applications to join her husband in the U.S.

Mr. Chairman, we have also been advised of resolution of a number of divided family cases, first promised reunification over one year ago in early 1986 after the Geneva Summit and in conjunction with the Bern Meeting. Since no movement forward had materialized as promised, these cases subsequently were raised in this forum by Ambassador Wise in November and January. At last, with one exception, the people involved have either departed to join their relatives or received exit permission. This is good news, however late in coming, as it is always good and welcome news when an individual is reunited with his loved ones.

However, our representation list of divided families still remains too long, and the pace of resolution too slow. In our view, with good will and in a humanitarian spirit, all these cases could be rapidly cleared up. Each case represents a human tragedy, a history of sorrow which could easily be ended. Adoption and rapid implementation of the provisions of WT-23 would go a long way toward ending this painful and unnecessary phenomenon of divided spouses, separated families and blocked marriages.

Mr. Chairman, another category of persons to which my delegation attaches great importance is that of dual nationals. Normally the fact that an individual holds or is eligible for citizenship in two different countries should create no special problems. However, the existing legislation in certain participating states has prevented individuals with valid claims to U.S. citizenship from visiting their families or resettling in the United States. In the view of the United States, in such cases the wishes of the individual should take precedence, and this view is reflected in proposal WT-53.

Mr. Chairman, adoption and implementation of proposal WT-53 would clear up the plight of this small but important number of individuals. For example, we were extremely gratified to learn that after a number of years and applications, U.S. citizens Kim Lewis and Andrey Yefremov have been granted exit permission by Soviet authorities to move to the United States.

However, we cannot help but recall the dilemma of other dual nationals, such as Violetta Bovt, born in Los Angeles many years ago. Ms. Bovt came to the Soviet Union and had a distinguished career with the Stanislavski Musical Theater as a ballerina and later as a teacher. Now retired, she has been denied permission many times to visit her sister in Ohio. Or there is the case of Mikolo Pechulaitis and Kazimira Peredniene, U.S. citizens resident in Kaunas, Lithuania. They are brother and sister, with a brother in Ohio. Local authorities will not even accept Mr. Pechulaitis's application for exit permission because of bureaucratic technicalities. WT-53 would serve to cut through the bureaucratic technicalities in these and other cases of dual nationality, and help to end the enforced separation of a number of families.

Mr. Chairman!

Proposal WT-24 provides for special attention or expeditious approval in certain specific cases involving family travel or reunification, such as special occasions or events -- births, funerals, weddings, illnesses, and the like. Unfortunately there are still barriers to travel in such cases in some participating states. For example, Susan Graham of Spokane, Washington, and Matvey Finkel of Moscow were married in 1979. Matvey has since applied for exit over fourteen times, and has been denied each time. However, hardest to take was the refusal of his request to be present at the birth of their first child, which took place on New Year's day in Spokane. Certainly this was a special event fully deserving of humanitarian consideration. Or, in another example, Mrs. Giza Rozenmann of San Francisco died last January, leaving daughters in San Francisco and Moscow. Her daughter in Moscow, Yelena Gutkovskaya, was refused permission by the local visa office to travel to the funeral. Our latest information is that U.S. and Soviet authorities have been working at making it possible for Ms. Gutkovskaya to visit her sister in San Francisco during her time of bereavement. WT-24 would give added strength to existing legislative provisions, such as in the new USSR entry-exit law, which cover such situations.

The provision in WT-24 covering families travelling together might also seem relevant to the plight of dual national Abe Stolar, who my colleague mentioned in another context in a statement to this body last week. Stolar is an American whose parents brought him to the USSR over fifty years ago. For years Abe has sought to obtain permission to return to the U.S. Now, having reportedly received permission, he and his wife face the dilemma of whether to leave his son and daughter-in-law behind, since exit permission apparently does not extend to them.

Mr. Chairman, these proposals -- WT-23,24 and 53 -- supplement and point out specific cases and practices which are extremely important to many individuals, as the specific examples which I have enumerated today will attest. Adoption and implementation of these proposals would be a positive contribution, both in resolving remaining cases such as the ones I have cited today, and in preventing the recurrance of similar cases in the future. In our view, they do not replace the more general commitments of the Final Act and Madrid Concluding Document, but supplement, expand and strengthen these commitments which flow from the fundamental right to freedom of movement. As such we would hope that they would find not only acceptance but enthusiastic support from all delegations.

Thank you, Mr. Chairman.

STATEMENT BY AMBASSADOR SAMUEL G. WISE
DEPUTY CHAIRMAN OF THE U.S. DELEGATION
ON THE SUBJECT OF NATIONAL MINORITIES
H WORKING GROUP
March 30, 1987

Mr. Chairman:

Today, I would like to return to the subject of national minorities. Three proposals on this subject have been introduced: WT 27, submitted by Canada and co-sponsored by a number of other delegations, including my own; and WT 46 and WT/H.2, co-sponsored by Yugoslavia and Hungary.

My delegation appreciates the intent of WT 46 and WT/H.2 but believes that WT 27 is a better proposal in terms of what it would do to improve the situation of national minorities in the participating states. There does not seem to be any significant differences in the overall objectives of these proposals.

Our principal objective in submitting most new proposals, Mr. Chairman, is to improve the compliance of the participating states with the obligations voluntarily assumed under the Helsinki Final Act and the Madrid document. New proposals, in this sense, should therefore either make existing obligations more specific or clarify ambiguities.

Proposal WT 27 meets these two criteria by specifying the participating states' obligations to permit unhindered cultural expression and transmission among members of a national minority. Given that culture broadly defined is precisely what differentiates a national minority, genuine concern for their welfare must speak primarily to the status of their culture. WT 27's provision that the participating states will "refrain from discrimination" against national minorities is intended to assure respect for their civil and political rights as well.

WT 27 aims to improve compliance with existing obligations. These obligations, in turn, include the rights of national minorities only because problems in this area have regularly recurred and still exist in some participating states. We have already spoken in some detail of the nature of these problems in several states including the Turkish minority in Bulgaria, the Jewish minority in the Soviet Union, the Hungarian minority in Romania and elsewhere and the German minority in a number of areas. We can provide a more specific account of these problems if it would help our colleagues to better understand our proposal and recognize the urgent need for its adoption.

Now, what about the other two proposals on the table in this area? The only real objection we have to either is that they are only mildly hortatory and lack the teeth which are in WT 27 and which we believe are essential for genuine improvement in this area.

WT 46 is basically confined to a restatement of the language of the Helsinki Final Act and the Madrid Concluding Document and does not provide for specific means of improving compliance. This repetition of already existing language makes WT 46 essentially a declaratory proposal which carries little obligation.

Although more specific, WT/H.2 is not as comprehensive as WT 27 and includes language which may be more restrictive than the current language. For instance, the phrase "free contacts" is vague and would easily lend itself to wholesale manipulation in practice.

Having carefully studied WT 46 and WT/H.2 in comparison to our own, we cannot but conclude that WT 27 would do more to accomplish Helsinki objectives in the area of national minority rights.

Mr. Chairman, at the last session of drafting group H, I am informed that my distinguished Soviet colleague offered extensive comments on U.S. passport laws and regulations. The aim of this presentation, as I understand it, was to attempt to demonstrate that there is in practice no absolute right of exit, and that even the United States, among other countries, maintains limitations on the issuance of passports and thus on the right of its citizens to leave.

Mr. Chairman, of course the United States has some restrictions on who may obtain a passport. We also obviously restrict the movement of those suspected, charged with or convicted of criminal acts. This is a normal practice in any state, and is recognized as legitimate by a number of international agreements and instruments.

As for alleged look-out lists, orange cards, and passages from the foreign affairs manual used by many authorities, let me address each in turn. On the look-out list, it has been a while since I did consular work, so I am not certain precisely to what list my Soviet colleague may be referring. If my delegation receives a more precise citation or description, we will be happy to provide a response or explanation. I would add only that, of course, all of our countries keep lists of one sort or another in connection with visa and passport matters. This is normal, and there is nothing per se insidious or evil about it. The real point is how one uses the list, and it is here that we think our record differs significantly from certain other participating states.

Second, on the orange card, we are not sure what this is, and would need a more precise description before we could respond. My Soviet colleague raised so many matters in his plenary remarks on December 19 that we may inadvertantly have neglected to make proper note of this particular issue. In any case, I would note that the United States issues travel documents other than passports to various non-citizens resident in the U.S., such as refugees or permanent resident aliens. I do not know offhand what color these documents are, but I am certain that they are issued freely, and facilitate rather than restrict travel.

Finally, the references pulled from the foreign affairs manual by my distinguished Soviet colleague demonstrate, I believe, the care which U.S. officials are expected to take in documentation and verification before issuing a passport. I do not think these citations betray an intent or existing practice of restricting movement. Rather, they demonstrate a healthy respect for the importance of a passport as a basic document of personal identification.

Finally, about the NATO general and government workers whom my Soviet colleague cited as being restricted in their ability to travel as tourists to communist countries. It is true that active duty military and certain government workers who deal regularly with sensitive information must at times clear prospective travel with their superiors. These are normal and sensible security precautions, and we have not criticized any other participating state here for similar restrictions placed upon similar people. I would note also that the restrictions on travel do not apply after one has left military or government service. We have no examples of U.S. citizens being refused travel documents because of access to security information some 10, 20 or even 30 years ago.

What we have done, Mr. Chairman, is to criticize the practice of using security considerations as a smokescreen to justify limiting the freedom of movement and right to leave of hundreds of thousands of individuals who have long since had no access to sensitive information, or have never had access to such information. Selective quoting from U.S. regulations will not change this fact, nor will it make any less needful criticism of the Soviet record on emigration and human contacts.

Mr. Chairman, we believe that there is a fundamental right of exit, as we have stated many times at various sessions of this Vienna meeting. However, until this right is respected in all participating states, and unless and until restrictive practices, which make a parody of the concepts of secrecy and security, are ended, there will be a need for proposals on freedom of movement and human contacts such as have been put forward and supported by my delegation and others here at the Vienna meeting. Obviously if these proposals receive consensus, my government will be bound by their provisions just as any other participating state.

Thank you, Mr. Chairman.

Statement by Ambassador Samuel G. Wise on Culture and Education Textual Proposals to Drafting Group H

Wednesday, April 1, 1987

Mr. Chairman, today I would like to address a number of textual proposals on cooperation in the fields of education and culture. Both the Final Act and the Madrid Concluding Document contain substantial provisions for facilitating and promoting exchanges and cooperation in the fields of culture and education. In the view of the U.S. our first priority in these and other fields should be the realization and implementation of the commitments which we have already undertaken in these basic CSCE documents. During the implementation review phase of this Vienna Meeting, it has become clear in many cases what and how much still needs to be done on this score.

Of course we do not rule out the possibility that new proposals and new commitments may be entertained in the areas of culture and education. However, any such proposals should meet the test of a set of rather strict criteria. First, they should not merely restate or detract from or retreat from the commitments in the Final Act and the Madrid Concluding Document. Second, they should focus on problem areas, especially involving implementation, either putting more teeth into the original language or making that language clearer and more explicit. Third, they should not result in considerable additional expenses for the participating states. Fourth, they should constitute a significant commitment which will enhance and not diminish the stature of the CSCE process. Finally, they should be limited in number and deal with issues and problems where concrete, meaningful progress or accomplishments are possible. We cannot equate progress at this meeting with a proliferation of verbiage or a snowstorm of paper.

Mr. Chairman, there are two basic proposals which we support in the field of culture, WT-29 and WT-54. WT-29 seeks to identify concrete ways in which obstacles and restrictions may be eliminated in order to facilitate and encourage exchanges and cultural cooperation between official institutions, non-governmental organizations and individuals, in the performing and visual arts. It attempts to give maximum scope to independent creativity and cooperation in the creation, dissemination and teaching of art and culture.

The second proposal, WT-54, concentrates on access, exchanges, and dissemination of works of art, literature and scholarship. This proposal, too, attempts to free the creative imagination and energies of individuals, independent organizations, and official institutions in order to foster increased cooperation, exchanges and education in these areas.

I would also cite WT-57, on the educational exchanges of schoolchildren, which has received considerable support and interest in the discussions of this working body. I think this is precisely because this proposal is not overly ambitious, but adds a concrete, meaningful commitment to the existing body of CSCE texts on cooperation in education.

Unfortunately, Mr. Chairman, there are all too many proposals in the areas of culture and education now before this drafting group which do not meet these criteria. I would like to comment on a number of these proposals, in no particular order.

Take, for example, WT-77, which advocates measures to prevent the use of art and culture for war or hatred. Mr. Chairman, we do not think that there are any "war-loving" peoples among the participating states. We may have differences on how best to achieve peace, but bombastic, declaratory language will not resolve these. This proposal is unacceptable to our delegation because it is prescriptive -- instead of attempting to free culture and art, it seeks to tell artists and cultural personalities what they should do and think. Further, the first operative paragraph of WT-77 provides a thinly-veiled rationalization for censorship and jamming. This proposal does nothing to solve the problems of creation, dissemination and cooperation identified at the Budapest Cultural Forum. Overall, Mr. Chairman, we see no merit in it.

On proposal WT-91, urging support for the United Nations World Cultural Decade, we consider this a matter for deliberation and action in the United Nations, not the CSCE.

We also have serious problems with WT-97, on cooperation in education, particularly through collaboration in history and geography textbooks. We are not against such collaboration *per se*, which has already taken place privately and through official exchanges. However, WT-97 is clearly worded to provide a justification for censorship and rationalization for the re-writing of history for official political purposes. This is hardly the path to friendship, understanding, or "objectivity."

For similar reasons, Mr. Chairman, my delegation takes a dim view of proposal WT-104, on the joint preparation of encyclopedias. In addition to the justifications for censorship and re-writing of history for political ends, the proposal's calls for preferential fiscal treatment would be problematical in a free market economy. Furthermore, we do not see why such activities should take place in a CSCE context, and consider them a more proper subject for independent bilateral or multilateral consultation and cooperation.

WT-73 and WT/H-4 deal with art education for youth. On WT-73, we find this proposal purely declaratory, adding virtually nothing to existing CSCE commitments. Furthermore, it is dangerously prescriptive, and makes no commitments to freedom of creativity or opportunity. We contrast this proposal with WT/H-4, in which we find a number of interesting concepts and possibilities. We would welcome further information from the sponsors as to what kind of exchanges, activities and contacts are envisioned under this proposal.

Similarly, we find WT-98, on less-widely-spoken languages, interesting, but we also have a number of questions about the practical applications and realization of some activities envisioned by the proposal. For example, what kind of translations, scholarships, and seminars are envisioned, on what scale, and on what and at whose expense? Are these activities of equal benefit to all 35 participating states? We would wish to examine these questions as we discuss this proposal further.

On WT-69, which calls for the exchange of cultural television programs, we wonder whether this proposal may introduce excessive and unnecessary government involvement in a field where it may not be necessary or desirable, since many such private and official exchanges already take place without CSCE involvement.

WT-28 and WT-66 deal with the subject of youth exchanges, which I will treat here as educational, although of course human contacts issues are also involved. We find WT-66 somewhat too narrow, since it singles out travel only by youth organizations, and only for peace and security purposes. WT-28 has the same limitation, in that it deals only with organizations, and not individuals. We also find puzzling the reference to foreign currency in WT-28. We find it hard to envisage how anyone could visit the United States, for example, and not spend any dollars at all. (Of course, this does not mean that we would try to make such visits expensive.) I would also endorse the observations of several of my colleagues in this body last week, on how some provisions of WT-51, on allowing youth to stay in private homes and expanding the interrail system, would also contribute to expansion of tourism and contacts among youth.

Finally, Mr. Chairman, I would like to offer some preliminary comments and questions on WT-72, on contacts and exchanges in education and science. First of all, we note that the emphasis here is all on formal, institutional contacts and agreements, and not between researchers, educators and scientists themselves. Second, we are puzzled by the reference to elimination of age limitations. We have a number of exchanges with participating states which specify rough age limits for the participants. But this is almost always because the exchange is specialized, for senior or junior scholars, or the like, not because any discrimination is intended. Do the sponsors of this proposal intend to eliminate such specialized exchanges? Finally, we are troubled by the reference to "favorable conditions." What are these? Who will determine them? We think there must be more precision here, so we will know what obligations we are undertaking, and whether our governments really can make such guarantees.

Mr. Chairman, I will discuss follow-up proposals in the fields of education and culture another time.

Thank you, Mr. Chairman.

AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
RIGHT OF REPLY TO SOVIET DELEGATION
ON CULTURE AND EDUCATION PROPOSALS
H GROUP
April 2, 1987

Mr. Chairman:

Yesterday, after I had given some views of my delegation concerning certain of the proposals before us on culture and education, the distinguished Soviet representative had some negative comments to make. Briefly, in reply, I would like to say first that in view of the non-polemical nature and businesslike intent of my remarks, even if some were not entirely to his liking, I was somewhat surprised at the gratuitiously nasty tone which the Soviet delegate adopted in response. On reflection, however, I note that this tone seems quite consistent with the new approach taken by Soviet representatives in other parts of our meeting--an approach incidentally which will do nothing to advance our work.

Second, I was informed that at least one important word in my remarks--the word "involvement"--was misinterpreted as "interference." I can only hope that this error and possibly others like it could have been at least partially responsible for his querulous reaction. Maybe I am wrong altogether and he was merely in a bad mood. Let's hope he feels better today.

Third, he criticized my statement for praising only Western proposals and having nothing good to say about Eastern proposals. If he will read my speech he will find that this is not entirely true and that I have sought clarification of several Eastern proposals.

Fourth, I agree with the Soviet representative that we have different approaches to the organization of culture and education and these differences are reflected in our proposals. These differences reflect fundamental divergencies in our respective attitudes toward the role of the individual and the government in the realms of culture and education and society as a whole. Even though we have found ways in our bilateral relations to promote a degree of educational and cultural cooperation, we still strongly believe in the maximum freedom of the individual and private groups. This is the element which is stressed in our proposals and which is the opposite of what is stressed in the Soviet proposals which is the control of the state over the individual in culture and education. This is why we were not able to have more kind words about most of the Soviet proposals and why we will not be able to support them. It is the strong conviction of my delegation that the future of the CSCE process is in the direction of the increasing freedom and autonomy of the individual and not toward increasing domination of the individual by the state. We are hopeful that the new openness in the Soviet Union will also operate in favor of the individual.

Thank you, Mr. Chairman.

AMBASSADOR SAMUEL G. WISE
DEPUTY HEAD, U.S. DELEGATION
STATEMENT ON INFORMATION
H Group
April 7, 1987

Mr. Chairman:

Today I would like to comment on the textual and follow-up proposals on information that have been put forward at our meeting. In the information field, as in all others, the United States is looking for a limited number of problem-solving, action-oriented measures that can serve as vehicles for improved compliance with Helsinki and Madrid commitments.

Western proposal WT. 45 on a post-Vienna information forum and Western textual proposal WT. 56 both are designed to address interrelated problems of creation, dissemination and cooperation in the field of information. The problems were identified during the implementation review phase of our Vienna meeting. They are known to any journalist who has covered a beat in the East. They are apparent to any citizen of an Eastern country who attempts to exercise his fundamental right to freedom of expression, his "right to know", or who tries freely to select sources of information. The promising new means of communication cannot alone solve these basic problems. Their solution awaits a political decision on the part of Eastern governments -- a decision to fulfill the original Helsinki pledge "to facilitate the freer and wider dissemination of information of all kinds."

The U.S. delegation has looked carefully at neutral and Eastern textual proposals on information, comparing their elements to the key components of Western proposals WT. 56 and 45.

With respect to the neutral textual proposal WT. 44A, we note that our particular concerns regarding unimpeded access to broadcast information and treatment of journalists clearly are shared. Practical suggestions addressing the express "need for fuller implementation" have been advanced. The importance of free choice of access to information sources is underlined.

With respect to the Eastern proposals, some of them contain forward-looking elements concerning the role of new communication techniques and the opportunities that these advances offer for cooperation in the information field. Yet, many of the Eastern texts also contain retrogressive and unacceptable components justifying censorship and jamming.

Proposal WT. 88 on the use of radio and television in the interests of peace, submitted by Czechoslovakia, Bulgaria and the USSR, obviously has been drafted for propagandistic effect and aims at rationalizing jamming and censorship. Incidentally, my government finds it especially disingenuous that a country which seems so fond of the word "disinformatsia" should put forward a proposal against the very measures it continues actively to promote. Mr. Chairman, the authors of WT. 88 are guilty of errors of omission as well as commission. For example, they even attempt to censor the Final Act. They deliberately refer to the dissemination of information, but omit the key phrase information "of all kinds" as stipulated in the Helsinki agreement.

Eastern proposal WT. 94 on broadening cooperation in the field of television, submitted by the same group of countries as WT. 88, at least contains some constructive elements, such as future cooperative meetings and exchanges in media -- meetings and exchanges, I might add, which have been going on between media representatives from my country on a private basis and their Eastern colleagues for some years now. Mr. Chairman, proposals for any future activities do not obviate the need to solve problems of the here and now. We cannot afford to "fast-forward" ahead as if present problems can so easily be erased from our memory tapes. We do observe, however, that the suggestion in WT. 94 for a meeting of media experts could fold naturally into the agenda for a post-Vienna information forum, a matter I will discuss shortly.

WT. 95 regarding cooperation in utilizing the achievements of the scientific and technological revolution in the mass information media, brought to us by the same Eastern sponsors, again focuses on new communications gadgetry. However, WT. 95 does not offer any remedies for the most basic problems which daily confront correspondents in their professional efforts to gather news in Eastern signatory countries.

A proposal on information put forward by another Eastern country contains textual as well as follow-up elements, such as the organization of regular meetings among media representatives. To us, this particular proposal incorporates all of the negative features of the Eastern textual proposals and none of the positive attributes of any of the neutral concepts. This proposal is unacceptable not just because of its contents but because it would be rejected by any self-respecting member of the fourth estate. Just ask the press corps downstairs what they think of the proposal. Their response may not be printable.

Turning now to the subject of a post-Vienna information forum, an idea that has been attracting broad interest at our meeting. As a sponsor of WT. 45, my government also sees positive elements in neutral proposal WT. 44B. Although we prefer the more explicit and detailed formulations in our Western proposal, we welcome such elements in the neutral proposal as the recognition of "current and future problems", the prominent focus on journalists' concerns, and the range of agenda items proposed. The agenda topics would appear to encompass all topical areas of the Final Act's chapter on information, although the items would be dealt with in a manner structured somewhat differently than that suggested in our proposal. We also note that the neutral authors do not aim to draw up a concluding document, apparently choosing, as we do in the Western proposal, to place the emphasis on a vigorous and substantive exchange of views among persons active in the media.

Mr. Chairman, in a real sense, the credibility of this process depends on the media's perception of CSCE's continued utility. The media _is_ the message. Serious implementation problems in the information field are impossible to conceal. After all, the business of the international press is information. I would, therefore, urge all participants here to weigh carefully the substance of the information proposals put before us. My government and other Western governments believe that proposals WT. 45 and WT. 56 make significant contributions to the Helsinki process in this important area. It behooves us all to honor existing commitments in the information field and to invigorate this highly visible and potentially dynamic dimension of the Final Act. The spotlight is upon us.

Thank you, Mr. Chairman

STATEMENT BY AMBASSADOR SAMUEL WISE
UNITED STATES DELEGATION
TO THE VIENNA CSCE FOLLOW-UP MEETING

Meeting of the "H" Group
April 9, 1987

Wrap-Up of Second Round Basket III Work

Mr. Chairman:

Today, I would like to review briefly our work on Basket III issues during the second round of the Vienna CSCE Follow-Up meeting.

Our objective in this round has been to discuss candidly the proposals that have been tabled in this group. In doing so, we cited specific examples as often as possible as illustrations of the need for the proposals we support. As is obvious, if these examples did not exist, all participating states would already be in full compliance with their Helsinki obligations, and no new proposals would be necessary. Unfortunately, this is not the case.

At the same time, we have given credit where it was due and have recognized the positive results of on-going change in some participating states. We trust that these incipient changes constitute the beginning of an enduring and rapidly evolving trend which will significantly contribute to the success of the Helsinki process. We would like to be able to praise other participating states even more. Further actions, however, not words, will determine our inclination to do so.

Our approach in this round has sometimes elicited responses from some delegations little conducive to reasoned debate and the attainment of consensus. We realize that other delegations may not like our proposals and our references to certain events which occur in their states. We do not like some of their proposals and references to events in the United States any better. Our proposals and citations of fact have not been, are not, and will never be attacks on the person of any delegate accredited to this conference. Nor are they intended as polemical or inimical in nature. We therefore fail to understand some of the responses they elicit. Charges of confrontation and provocation in this context constitute what they purport to convey. Let's all speak the truth frankly but politely and get on with our work. In the long run, it will make our task much easier and more fruitful.

I would like now briefly to recapitulate what we have stated in previous interventions in "H" Group in this round. Since we regard the welfare of the individual as the ultimate goal of the Helsinki process, we regard the sixteen Western human dimension proposals as most important. As Ambassador Zimmermann stated in plenary on March 27, "they embrace the fundamental freedoms of conscience, expression and movement...and reflect shared Western values." As he then added, these proposals are ambitious, problem-solving, and action-oriented.

Proposal WT 19 which covers both human rights and human contacts provides for a far-reaching and integrated post-Vienna system of "new, concrete, precise and intensive efforts" to improve implementation.

Proposal WT 45 on an Information Forum featuring the participation of media professionals would provide a unique opportunity for discussion of freer and wider information flow, jamming, working conditions for journalists, access to and dissemination of information on an unofficial as well as on an official basis, media reciprocity, and new technologies and cooperative measures in the information area.

Proposals WT 22, 23, 24, 53 and 51 would provide remedies for existing human contacts problems. WT 74 on non-interference with postal and telephonic communications and WT 56 on information address freedom of communication, both public and private.

Proposals WT 29, 54, and 57 on education and culture would facilitate greater freedom of creation, dissemination and cooperations in the arts and sciences.

Added to these proposals are other ideas in the human dimension which we have put forward in another working group. Proposals WT 21 on freedom of thought, conscience, religion or belief, WT 27 and 62 on national minorities, WT 38 on the contribution of individuals and groups to the CSCE process and WT 39 on persons in confinement. They would enhance the inherent dignity of the person in daily practice.

Together, Mr. Chairman, these proposals constitute the heart of the human rights part of the Helsinki process and have our full support. We believe that their inclusion in a concluding document would be a notable contribution to our common endeavor.

Turning to follow-up activities, as Ambassador Zimmermann also stated in plenary on April 3, such meetings can play a constructive role but are not a substitute for implementation of existing commitments. Such meetings should seek to accomplish only what private individuals and organizations cannot do by themselves.

More than 30 follow-up meetings have been proposed. Clearly, that many would be grossly excessive and only cheapen the Helsinki process. We must carefully pick and choose.

The Soviet Union in WT 2 has proposed the convocation of a human rights conference in Moscow. We are still studying this proposal from a number of angles but would like once more to note that, in our view, any state hosting a CSCE meeting should meet two basic criteria. Such a state should have an exemplary record itself in the particular area in question and should offer firm guarantees that the meeting itself will be open to all comers, including journalists, citizens of other participating states, and the citizens of the host country. With one or two unfortunate exceptions in the past, this has been our CSCE tradition and practice which my delegation will insist on being continued.

Mr. Chairman, we are about to return to capitals to ponder the results of the Vienna meeting to date and to consider how we might best draft a concluding document. Conference delegates are receiving a well-earned respite from daily Conference responsibilities. I trust that we will return next month ready to begin the next phase of our work in a spirit of tolerance and desire for concrete accomplishment.

Thank you, Mr. Chairman.

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Mr. Chairman, regarding the Soviet delegate's remarks at our last meeting in response to my intervention on freedom of information, I would like to respond briefly to two allegations he made on U.S. efforts to interfere with the freer flow of information. These actions, he asserted, were not consistent with U.S. proposals in the field of information.

Allegation #1 -- The U.S. tried to block the showing in Sweden of a film on the murder of Olaf Palme.

The Facts:

-- Officials of the U.S. Embassy in Stockholm met with Swedish television representatives in order to discuss plans to broadcast a Soviet film on the murder of former Prime Minister Olaf Palme.

-- They did not "demand" that the film not be shown.

-- They did make clear the U.S. view that the film - which implies U.S. involvement in Palme's death - is an insidious and fabricated piece of Soviet propaganda.

Perhaps the Swedish representative can add to this information.

Allegation #2 -- The U.S. has jammed radio broadcasts from Cuba.

The Facts:

-- The U.S. has not jammed radio broadcasts from Cuba.

-- In 1981, Cuba walked out of International Telecommunications Union (ITU) negotiations to work out the problem of overlapping radio frequencies in the Western hemisphere and is thus not a party to the agreement reached at those negotiations.

-- Therefore, the ITU registered Cuban and U.S. radio stations with the same status and instructed the two countries to resolve bilaterally the problems caused by U.S. broadcasts that overlap with Cuban broadcasts and Cuban broadcasts that overlap with U.S. broadcasts.

-- These problems, it should be clear, are the result of adjacent or overlapping frequencies - not the result of purposeful interference.

-- Cuba also broadcasts on a number of unregulated frequencies and has no grounds to object to interference with these broadcasts by U.S. broadcasts on lawful, registered frequencies.

Having offered this clarification, which I hope will set the record straight and will demonstrate our genuine commitment to freer flow of information, let me offer yet another example of the Soviet Union's exactly opposite approach to this question. This example concerns the question of jamming which I note that the Soviet delegate did not deny is the practice in his country even while he falsely accused my country of the same practice.

According to an April 7 article of the Associated Press, "Communist Radio Jammers Who Formerly Tried to Block BBC Broadcasts Are Now Zeroing in on the Russian-language Service of Radio Liberty." This is according to a spokesman for Radio Liberty who added that a week after they stopped jamming the BBC we found that eight of the eleven transmitters directed against the British network were switched to jamming Radio Liberty's Russian service.

If this report is accurate - and I look to our Soviet colleagues for confirmation - the apparent progress that was achieved by the cessation of the jamming of the BBC in actuality was only a shifting of resources to more effectively blot out another radio. This is hardly progress in our view and sheds a new light on the whole affair.

Thank you, Mr. Chairman.

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